

EXTENSIONS OF REMARKS

COMPARABLE WORTH—A REPLY
TO NISKANEN

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. STARK. Mr. Speaker, it has always seemed to me that it is elementary fairness that people who do essentially the same type or value of work should be paid about the same. But the idea of comparable worth was ridiculed last fall by one of President Reagan's Council of Economic Advisers, William Niskanen, who called the idea a truly crazy proposal.

Maybe it is time to abolish the Council.

In any event I would like to include in the RECORD the very fine and thoughtful comments of Ms. JoAnn S. Ainsworth, legislation chair of the Bay Valley District of the California Federation of Business and Professional Women. I think she helps set the record straight.

The comments follow:

CALIFORNIA FEDERATION OF
BUSINESS AND PROFESSIONAL WOMEN,
Oakland, CA, October 24, 1984.

MR. WILLIAM NISKANEN,
Member, President's Council of Economic
Advisers, The White House, Washington,
DC.

DEAR MR. NISKANEN: Business and Professional Women (BPW), the voice of working women since 1919, supports, through its California legislative platform, the implementation of comparable worth.

Friday's San Francisco Chronicle reported your comments on comparable worth before the Women in Government Relations meeting. The report said you consider comparable worth to be "a truly crazy proposal" and that salaries of 40-year-old single men and women in the same field would be "essentially identical" except that "most of the difference between men and women's salaries is a consequence of the fact that many, if not most, women have interruptions in their job experience over a period of time associated with marriage and child-bearing."

This letter is to tell you that the research I have done on comparable worth for BMP and my own personal experience give the lie to the statements you made.

First of all, most women who started working in the 1950's or early '60's had little chance to be in the same field as a man. I am a 45 year old woman. When I started working in 1956, women were strongly urged (it was called 'counseling') into the fields of nursing, teaching and secretary. I chose secretary. While a male starting as stock clerk had the opportunity to become chairman of the board, a woman starting as secretary could not expect to become chairwoman. Her highest expectations were executive secretary or administrative assistant to the president or chairman, or office manager.

But, you say, that is a discrimination problem, not a comparable worth issue. I say gender discrimination is basis for the inequities that comparable worth will resolve. Historically, the work of women has been undervalued. Jobs where 70% or more of the workers are women—when compared as to skill, education, responsibility, working conditions and effort to male-dominated jobs—are usually 20-40% underpaid.

And education and child bearing are not the problem. My child was born when I was 39. I have a B.A. with honors in English and social science from U.C.-Berkeley; a Masters in Teaching, cum laude, from Fairleigh Dickinson University; and M.B.A. studies from Pepperdine University, lacking only a thesis to complete the degree. My salary in no way equates with a man of my age with my education and years of working experience. Research shows that women workers with four or more years of college make about the same income as men who have one to three years of high school. The Willis Study done for the State of Washington shows the value of the job of legal secretary at 187 points while a warehouse worker had 97 points and a laborer 110. Guess who makes the most money? The answer is in the undervaluing of the work done by women.

It took almost ten years of my working before things started to loosen up—after the civil rights activity in the '60s. By 1966 I was Chief Clerk of a U.S. Senate Subcommittee. Although I had the title and the responsibilities of Chief Clerk, my salary equated more with that of the secretaries. My salary history (the basis for my Chief Clerk salary) was that of secretary and administrative assistant—one of those job categories dominated by women and which is undervalued and underpaid.

Suppose that instead of a 40 year old woman, we consider a woman in her 20's who has had the benefit of the civil rights laws. Research shows women and men now receive approximately equal starting salaries for entry jobs. However, soon a noticeable difference takes place. The woman trails the man in income. A Columbia University study of "executive ladder" jobs shows, over a ten year period, males exceed the salaries of females by an average of \$14,000 a year. For me the answer to this difference is not childbearing. Forty-four percent of the women working are either single, widowed, divorced or separated. We work out of dire necessity. Yet women, even today, are not being selected for the training or promoted into the career paths that will lead them into the power positions that command high income. The question is "why?"

I believe the answer is that men and women of today are still not able to envision women in power positions. I will give a personal example.

Recently I spoke with a male administrator in charge of hiring a new manager for a top position in a firm. While speaking, the administrator said, "When he's in place. . . ." I said, "or she."

I'm told this administrator is kind to his secretary, good to his family, and admired by his peers. But, although he had replied immediately, "of course, or she," he unconsciously dropped right back into saying, "When he's in place. . . ." I say uncon-

sciously, because it was not a deliberate slight on his part towards me. You can imagine that I was not surprised when indeed the new manager who arrived was male.

Even my management textbooks go through the levels of a business hierarchy saying "he," presumably following traditional grammatical style. Then the author gets to the clerical level. Style goes out the window. The "he" turns to "she" and remains until the work of the secretary or clerk has been discussed and dismissed. This kind of perception gets passed on to the students who then envision males in top corporate positions and females in low-paying clerical positions. The power of its suggestion is tremendous.

Considering the number of women in the work force, female C.E.O.'s and Chairwomen of the Board are far and few between. Often the woman, in order to get into these power positions, must be two to three times as good at the work as the male and very aggressive. Women come in the same ranges of abilities and personal work styles as men. Not all of us can be that good or that aggressive. And why should we be? We should have equal opportunity.

Working women are concentrated into approximately 20 of the over 400 job categories reported by the federal government, and those 20 job categories are lower paying. To say move to higher-paying, male-dominated job categories to demand equal pay is not the full answer either. It is estimated that a job shift of 10 million workers would have to take place to get things to where women and men would be evened out in jobs categories so that the equal pay for equal work concept could come into play. That is a drastic shift.

Women are not working for pin money these days. The number of female-headed households increased 97% nationwide between 1970 and 1980. One half of all the children in the United States today can expect to live in one-parent homes for a significant part of their lives. A divorced husband usually becomes "single" while the wife becomes a "single mother." Only three years after a divorce, just 19 percent of divorced fathers continue to pay awarded child support.

As Nila Bevan says in her article, "One Man Away from Welfare," (Ms., July 1984), "Three of us live on less than what their father has for himself, and our rent, utilities, and so on are much higher than his. Even at that, I am so much better off than many other single women I have met."

In California it is feared that, if the current trends are not reversed, by the year 2000 almost all those in the poverty level will be women and children.

The problem is insidious. Lower salaries produce lower salary histories produce lower dollar raises produce lower pensions. We slip into poverty, either with our children or in old age.

Women are not asking for the disruption of economies when asking to receive the pay they deserve for the value of the work they do. Senator Linda Berglin of Minnesota came to California to assure us that comparable pay implementation in Minnesota did not disrupt its economy. The pay increases

are being implemented over several years and employers are indemnified against past discrepancies.

I have obtained my information from "Pay Inequities for Women: Comparable Worth and Other Solutions" (Calif. Comm. on the Status of Women, 926 J Street, Room 1506, Sacramento, CA 95814), the information packet of the Comparable Worth Project of Oakland (488 41st Street, No. 5, Oakland, CA 94609), A Public Forum on Comparable Worth, June 22, 1984 (Senate Office of Research, 1100 J Street, Suite 650, Sacramento, CA 95814) and the Lt. Gov.'s Commission on the Feminization of Poverty (1028 State Capitol, Sacramento, CA 95814). I suggest that you read them.

For myself, I would like to have the titles and addresses of the resource materials you used as the basis for your comments. I am open to hearing new information. I trust you are, too.

Sincerely,

JOANN S. AINSWORTH,
Legislation Chair
Bay Valley District.●

PANAMA CANAL INTEREST BILL

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. FIELDS. Mr. Speaker, I am today reintroducing my legislation to correct a fundamental problem in the Panama Canal Act of 1979.

Joining me in this important effort are several of my very distinguished colleagues from the Merchant Marine and Fisheries Committee including Congressmen WALTER B. JONES, DON YOUNG, CARROLL HUBBARD, and BILLY TAUZIN.

This bill was first introduced in the last Congress to insure that the interest on the U.S. investment in the Panama Canal is paid to the general fund of the U.S. Treasury.

While H.R. 5655 was passed overwhelmingly and without dissent by the House of Representatives on June 25, 1984, regrettably, the other body was unable to approve this proposal prior to its adjournment.

Mr. Speaker, it was clearly the intent of the authors of the Panama Canal Act of 1979 that the interest payment on our investment in the canal would be paid directly into the general fund of the U.S. Treasury. Unfortunately, because of the ambiguous wording of section 1302(b) of Public Law 96-70 that interest is now being paid into the Panama Canal Commission Fund instead of the general fund of the U.S. Treasury.

As a result, the Federal Government has not only been denied access to these funds but the level of our investment in the canal has been reduced by some \$52 million in interest.

Mr. Speaker, my bill corrects this glaring problem by simply requiring that the interest on our investment in the canal be automatically deposited

on a monthly basis into the general fund of the Treasury. By so doing, the bill not only solves the interest problem but it ensures that there will be no further erosion in our investment base.

In this era of serious budget concerns, my colleagues will be interested to know that the interest payment to be deposited in the general fund would amount to some \$10 million each year.

Mr. Speaker, while this bill will eliminate the interest problem in a prospective manner, it does not deal with the interest payments currently deposited into the Panama Canal Commission Fund. I have opted not to address this issue because the Commission has strongly indicated that this money is needed to assist them in their cash flow requirements.

Nevertheless, as I have previously stated, if a method can be devised to transfer the \$52 million into the general fund of the Treasury without adversely impacting upon the cash needs of the Commission, I will gladly support such an effort.

Mr. Speaker, I strongly believe this simple, straightforward proposal is long overdue and I am hopeful this Congress will quickly enact this important legislation.

For the benefit of my colleagues, I have submitted for the RECORD a section-by-section analysis of this legislation.

Thank you, Mr. Speaker.

The section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS

Section 1(a)—Section 1302(b) of the Panama Canal Act requires that all tolls and other receipts of the Panama Canal Commission be deposited in the Panama Canal Commission Fund in the U.S. Treasury.

The bill amends Section 1302(b) and directs that the portion of the tolls that represents the interest on the U.S. investment in the Panama Canal be deposited on a monthly basis into the General Fund of the Treasury as miscellaneous receipts.

Section 1(b)—Section 1603(b)(2)(A) of the Panama Canal Act states that monies deposited into the "Treasury" (which according to Section 1302 is the "Panama Canal Commission Fund" in the Treasury) will decrease the U.S. investment in the Panama Canal. When that money is withdrawn from the Panama Canal Commission Fund and deposited into the General Fund of the U.S. Treasury, the U.S. investment would be increased by that amount, thereby nullifying the decrease required by Section 1603(b)(2)(A) (See Section 1603(b)(1)).

This section of the bill strikes the word "Treasury" and inserts in lieu thereof "the Panama Canal Commission Fund". This ensures that the deposit in the General Fund required by Section 1 of this bill will have no impact on the level of the U.S. investment.

Section 2—Section 1302(b) of the Panama Canal Act states that the provisions of the Act became effective upon it being signed into law. Section 2 of my bill simply states that the provisions in this legislation will become effective when it is signed into law.●

CIVIL RIGHTS RESTORATION ACT OF 1985

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. COELHO. Mr. Speaker, I am pleased to join with my colleagues in introducing the Civil Rights Restoration Act of 1985. This legislation will restore the foundations of our four major civil rights laws and clarify Congress' intent that programs and activities receiving Federal financial assistance do not discriminate against any segment of our society.

In the attention given to the Supreme Court's Grove City decision, many overlooked another opinion handed down by the Court that same day. Disabled people won a major victory in *Conrail versus Darrone*. The Supreme Court unanimously ruled that section 504 of the Rehabilitation Act, the primary civil rights law for disabled individuals, covered employment discrimination.

Employment is one of the cornerstones of the disability rights movement. Without a job, disabled people remain dependent on friends and family, church and charity, and the Government. But, holding a job provides the income security, the independence, the pride that we all feel in making our own way.

Our Supreme Court victory may be short lived, however, because the Court added a caveat to its *Darrone* decision. Section 504 would cover employment discrimination only in the specific program receiving Federal funds. The Court specifically referred to its Grove City decision and sounded an ominous warning that section 504 coverage was narrow and limited as that of title IX.

I referred to our Supreme Court victory. I am a disabled person. I know only too well the pain of discrimination. When I was diagnosed as having epilepsy, people suddenly no longer saw me but only a disability. They presumed that epilepsy dictated my life. Well, they were wrong. The social stigma of disability—the discrimination which is often worse than the disability—must not be condoned by our Government.

There are those who believe that the only legislative remedy we need is one limited to education. I think the Supreme Court's caveat in the *Darrone* decision explains why such legislation is inadequate. The Court clearly indicated that it would apply the same reasoning about narrow coverage to other civil rights laws, and would apply it in other areas other than education, such as employment. Congress must clearly ban discrimination in all areas receiving Federal aid, including

education, employment, health, social services, transportation, and housing.

Section 504 guarantees 36 million disabled Americans the opportunity to participate fully in our society. The Civil Rights Restoration Act ensures that the opportunity is not a hollow one. I will work in the coming weeks to persuade my colleagues to expeditiously enact this legislation. I look forward to the day when all disabled people can take their rightful place in our society.●

TRIBUTE TO RICHARD NICHOLAS IVINS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. DUNCAN. Mr. Speaker, Daniel Boone, Joseph W. Burns, Davey Crockett, Sam Davis, Cordell Hull, and Presidents Jackson, Johnson, and Polk are a few of the outstanding Tennesseans listed in a recent article by Richard N. Ivins. Mr. Ivins is himself another proud man of that State with accomplishments which merit recognition.

While serving in the 117th Infantry—or the old 3d Tennessee—during World War I, Mr. Ivins was awarded a Purple Heart, a Victory Medal, and the Cross of the Confederacy among other distinguished medals for meritorious military service. Following military duty, he privately studied in his father's law offices and then pursued degrees at both the University of Tennessee and Vanderbilt Schools of Law.

The 10 years between 1922 and 1932 saw Mr. Ivins in many trial and appeals courts, until he was subsequently appointed to the Veteran's Administration in Louisville, KY. Following this, he served the Department of Justice handling war risk insurance.

Due to lung damage sustained under gassing in World War I, the military could not accept him for additional service for World War II, but the Department of Justice transferred Mr. Ivins to Washington, DC, utilizing his extensive trial experience through 1950. Until retirement in 1960 he served an appointment to the Federal Power Commission. His immense record shows he lost very few litigated cases, and his decisions were never reversed by either the National Labor Relations Board, the Federal Power Commission, or the courts.

In his retirement, Mr. Ivins continues to fulfill family, civic, and church related responsibilities in Tennessee, while writing articles for newspapers in the area. These articles describe the importance of democracy and praise the beauty of his home State.

Richard N. Ivins is one of many men and women who tirelessly served their

country and continue through the later years of life to work for their community. I would like to offer my high esteem for this gentleman, as he typifies the American ideal.●

ELECTION REFORMS TO STIMULATE VOTER TURNOUT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. BIAGGI. Mr. Speaker, today I am introducing two separate bills aimed at stimulating our Nation's dismal voter turnout rate. The two measures, which are similar to legislation I authored during the prior Congress, both seek to accomplish this worthwhile objective by making it more convenient for people to vote.

The first measure would change election day to Sunday and require that all polling places across the country would open at 12 p.m. [e.s.t.] and close at 9 p.m. [e.s.t.]. This same-time/Sunday-voting format would apply for a 4-year experimental period beginning with the 1988 Presidential election.

The second measure would provide for 24-hour voting, beginning at 9 a.m. [e.s.t.] on the Tuesday now used for Federal general elections. This same-time/24-hour-voting format would also apply for the same 4-year experimental period covering the 1988, 1990, and 1992 Federal general elections.

Both of these measures would also provide that absentee ballots may be mailed free of postage. Unlike the other election reforms proposed, this change would apply on a permanent basis.

Having carefully studied the issue of election reform, I am convinced that either same-time/Sunday voting, or same-time/24-hour voting would significantly increase voter participation in the United States. It is my understanding that the House Administration Committee will soon be conducting hearings on a variety of election reform proposals and I believe both of the measures I am introducing today should be considered during those hearings. Only after careful deliberation by the committee should a decision be made as to whether Sunday voting, 24-hour voting, or a combination of the two is more preferable.

The need for a more convenient voting procedure is clear. Under our current election system 80 percent of the normal 13-hour-voting period falls during the time our Nation's work force is either at their jobs or commuting to and from their jobs. A 24-hour-voting period, or moving election to a nonwork day, would solve that inconvenience problem.

Further, simultaneous opening and closing of the polls, which is called for

under both of these proposals, would eliminate early election projections by the media. This is especially significant since the television networks recently agreed not to use exit polls or any other means to project the winner of Presidential elections before all polls have closed. This development, which is largely attributable to the diligent work of our distinguished colleague from Washington, Mr. SWIFT, makes same-time voting all the more appealing.

Finally, Mr. Speaker, it should be pointed out that the 28 Western democracies, 17 of which vote on Sunday or have 24-hour voting, have a median voter turnout rate of 82.8 percent. This is in dramatic contrast to our own paltry participation rate of 53.3 percent in the 1984 Presidential election. The time has come for a change and the two measures I am introducing today provide us with that opportunity.●

ENGLISH THE OFFICIAL LANGUAGE

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. SHUMWAY. Mr. Speaker, I, and 12 other Members of the House, are proposing a constitutional amendment designating English the official language of the United States. We share the view of a growing number of Americans that English must remain our only national language, and that the Federal Government should not encourage the use of others.

Throughout our history, America has been immeasurably enriched by her ethnic, religious, and cultural diversity—and it is vital that this tradition be preserved. At the same time, our common language has been a powerful factor in forging national strength, unity, and stability.

Unfortunately, the primacy of English in America has been challenged in recent years by a trend toward the quasi-official recognition of languages other than English. This trend is clearly seen in Government-sponsored policies that recognize other languages as the accepted medium of instruction in school. Such programs, although well intentioned, actually discourage proficiency in our common tongue. While purportedly temporary in nature, these programs foster continued dependence on languages other than English—thus serving to impede the process of assimilation of our Nation's linguistic minorities.

The English language amendment, therefore, seeks to provide a needed measure of legal protection to the English language, and makes it clear to our Nation's immigrants that profi-

ciency in English is a civic responsibility as well as an indispensable ticket to educational, professional, and social opportunities in America.

The joint resolution that we are introducing establishes English as the official language of the United States, prohibits the use of the bilingual ballot, allows the instruction of English in non-English languages for the purpose of making students proficient in English, and ends the use of foreign languages in subject-matter instruction. This amendment does not seek to discourage the use of any foreign language for religious or ceremonial purposes, for domestic use, or for the preservation of ancestral culture; nor does the bill affect the teaching of foreign languages to American students.●

A BILL TO CORRECT MISTAKES BY THE SECRETARY OF THE TREASURY IN ISSUING NOTICES OF DEFICIENCY

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. STARK. Mr. Speaker, The Secretary of the Treasury is required to issue a statutory notice of deficiency in order for unagreed cases to legally proceed to the Tax Court. Since the Secretary mails these notices in the hundreds of thousands, it should come as no surprise that the Secretary may on occasion send one out erroneously. However, the inflexibility of current law prohibits the Secretary from correcting such mistakes. As a result, a taxpayer who receives an erroneously issued notice of deficiency must either petition the Tax Court to prevent the disputed tax from being assessed, or agree to pay this tax and then file a claim for refund. Either way, that is a lot of trouble to put taxpayers through just to handle a procedural error inadvertently committed by the Government. There has to be a better way.

The legislative solution to this problem I am proposing is a simple one, but it will be fully effective in righting the wrong. Under the provisions of this bill, if the Secretary determines that a notice of deficiency was erroneously sent to a taxpayer, the Secretary would be empowered to withdraw it! How is that for simplicity? The only imposed condition is that the notice of withdrawal must be sent to the taxpayer before he or she would have to file a petition with the Tax Court under present law.

This legislation remedies a chronic and long-standing defect in the statutory rules that govern the administration of unagreed tax cases. It gives the Secretary needed authority to nullify

unintended notices of deficiency, and will thereby facilitate the Service's administrative consideration of such cases. The bill should help produce more settlements, and also reduce the cost and inconvenience of resolving these cases to both the Government and the taxpayer.

I hope that Members will fully support this worthwhile legislation.●

RED RIVER GORGE

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GRADISON. Mr. Speaker, today my colleague from Kentucky, Mr. HOPKINS, and I are reintroducing a bill to designate a portion of the Red River in Kentucky as a component of the National Wild and Scenic Rivers System.

This section of the river, known as the Red River Gorge, is a beautiful, untouched area, and is one of the most scenic stretches of river in the Eastern United States.

It richly deserves its name as the "Grand Canyon of the East." The Red River twists through the 600-foot gorge overshadowed by jagged hills. Thirty naturally formed stone bridges are still intact in this area, which also contains a unique diversity of animals and plants, some of which are classified as endangered.

In 1962, the Army Corps of Engineers proposed to build a dam on the Red River, an action that would have flooded the gorge and destroyed its beauty. National attention was drawn to the need to preserve the area in its natural state when Supreme Court Justice William O. Douglas led a march of concerned citizens through the gorge. After years of debate, Congress chose not to fund construction of the dam, but the door remains open for future development.

As one who hiked and camped in the area, I have a strong interest in protecting the gorge. The first bill I introduced when I came to Congress 10 years ago was to protect the gorge from the dam. I also authored language in the 1978 Parks and Recreation Act authorizing the U.S. Forest Service to study the Red River as a candidate for the Wild and Scenic Rivers System. The Forest Service completed the study in 1984. I was deeply disturbed that, despite the fact the study states that the river qualifies for the Wild and Scenic Rivers System in every respect, the Forest Service recommended against designation. Not only does the study contradict itself, but the recommendations differ totally from the recommendations made in an earlier unpublished draft which called for designation.

Not surprisingly, the Forest Service has received a significant number of public comments in opposition to their recommendations. The bill that we are introducing today would override the Forest Service's proposal. Wild and scenic status would preserve the gorge by barring any construction or water projects which would affect the free flow of the river.

We owe it to future generations to preserve outstanding natural resources like the Red River Gorge. I believe that this legislation will provide lasting protection for this priceless natural treasure.●

HOUSTON SHIP CHANNEL NAVIGATION IMPROVEMENT ACT

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. FIELDS. Mr. Speaker, I am today introducing the Houston Ship Channel Navigation Improvement Act of 1985.

This comprehensive proposal includes four measures I introduced separately in the 98th Congress to improve the operation and efficiency of the Houston ship channel.

Since coming to Congress in 1981, I've had the honor of representing this vital waterway which has grown to become our Nation's third largest port.

The Houston ship channel, which is a 40-foot deep waterway, was officially opened to ocean-going vessels by President Woodrow Wilson on November 10, 1914.

Since that time, the availability of this waterway has acted as a magnet to industry and dozens of companies who have invested more than \$15 billion in plants along both sides of the ship channel, which has become known as the fabulous 50 miles.

Today, the ship channel is home for one of the largest petrochemical complexes in the entire world.

It has been estimated that \$1 of every \$3 in the Houston economy can be attributed to the ship channel. Directly and indirectly, the Port of Houston provides jobs and livelihoods for thousands of Houstonians.

In the State of Texas, the port provides positive economic benefits to some 160,000 of our citizens and over \$3 billion a year in tax revenues.

I firmly believe that by enacting this legislation we will improve the overall efficiency of the port, thereby helping the economy of the entire Houston area and protecting vital jobs along the channel.

The first operative section of my bill authorizes the Army Corps of Engineers to maintain a 40-foot depth in the Barbours Cut Channel at Morgan's Point.

The Barbour's Cut terminal is a relatively new, multimillion dollar intermodal facility constructed by the Port of Houston Authority in 1970.

Prior to that time, the Barbour's Cut Channel had been a part of the Federal Houston Ship Channel project and it served as a barge-depth tributary.

By 1970, however, it became obvious that existing cargo handling and storage facilities could not accommodate the increasing amount of waterborne traffic which arrived at the port on a daily basis.

In response to this growing demand, the port authority built the Barbour's Cut terminal and on three separate occasions has dredged the 40-foot-deep access channels to the new cargo handling facilities at an estimated cost of \$1.9 million.

Since that time, the terminal has played an increasingly active role in the overall commerce of the port and, in fact, in 1983 it handled some 2.2 million tons of general cargo.

What the Port of Houston Authority is seeking is not any type of Federal reimbursement for its construction and dredging costs but simply that the Corps of Engineers maintain the Barbour's Cut terminal channel at a 40-foot depth.

This maintenance responsibility is one that the corps has assumed throughout its history and it is fully consistent with its congressional mandate.

Section 3 of my legislation is similar in that it would require the corps to maintain a 40-foot level at a second tributary of the Houston Ship Channel known as the Bayport Ship Channel.

The Bayport Ship Channel, which is also owned by the port authority, was completed in 1975 at a cost of \$21 million. Its purpose was to connect the Houston Ship Channel with a new industrial complex in southeast Harris County.

While commerce at this facility has not approached that of the Barbour's Cut terminal, the Bayport Ship Channel will play a key role in the future economic development of the Port of Houston.

Like the Barbour's Cut terminal, the Corps of Engineers would assume the financial responsibility of maintaining this tributary at 40 feet.

The Fourth section of my bill requires the corps to maintain a 40-foot depth at Greens Bayou, also a tributary of the Houston Ship Channel.

Like the first two projects, the Greens Bayou area was dredged and has been maintained by the Port Authority of Houston. In the case of this project, the problem has been that the River and Harbor Act of 1965 authorizes the corps to maintain the water depth at 36 rather than 40 feet. As a result, the port authority has maintained the level at 40 feet and has

borne the cost of keeping this tributary free of silt and debris.

Once again, this is contrary to Congress' mandate to the Corps of Engineers. I believe we must eliminate this technical limitation of 36 feet. By so doing, there will be no appreciable additional cost to the corps since once the initial dredging has been completed, a similar amount of silt and debris must be removed to maintain the channel's depth.

The final section of my bill would allow the port authority to receive Federal reimbursement for the raising of a railroad bridge which the Coast Guard ruled was an obstruction to navigation over the Greens Bayou area.

While actual modifications were completed in 1980, I believe the Federal Government should provide partial reimbursement for these repairs which became necessary because of severe land subsidence.

Since the port authority spent in excess of \$1 million to make the necessary Coast Guard modifications, I'm hopeful Congress will authorize a payment of a portion of their expended funds.

Mr. Speaker, the components of this legislation are neither new nor radical. In fact, they have been the subject of numerous congressional hearings and were incorporated within H.R. 3678, the omnibus water resources development bill, which passed the House overwhelmingly on three separate occasions last year.

In addition, with the assistance of the House Public Works and Transportation Committee, my proposal has been incorporated into H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985 introduced by Congressman JIM HOWARD on January 3 of this year.

Mr. Speaker, I'm extremely grateful for the committee's support in helping to secure congressional approval of these important projects and hopeful we will act favorably and expeditiously on H.R. 6.

Thank you, Mr. Speaker.●

THE BANKING CONVENIENCE ACT OF 1985

HON. GEORGE C. WORTLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. WORTLEY. Mr. Speaker, when low-tech laws collide with high-tech developments, somebody gets hurt, and that somebody is the consumer. But the consumer does not have to be a loser. Prompt enactment of the Banking Convenience Act will put things in proper perspective.

Congressman LaFALCE and I, along with Senator TRIBLE, have introduced

legislation, which assures customers of small banks, big banks, savings banks, savings and loan associations and credit unions that they can continue to put their plastic cards into automatic teller machines and obtain cash, check their balances and make deposits.

Why is legislation necessary for something that's been a widely accepted practice for the last decade?

Because a law suit was filed in the U.S. District Court for the Western District of New York that claimed shared automatic teller machines violated the 1927 Federal law that sets out the rules for branching by national banks. A decision was rendered that stated that a national bank was guilty of illegal branching by participating in a shared automatic teller machine network. The decision is now on appeal.

Prior to the recent decision in the second circuit, the courts had held that a national bank was guilty of illegal branching via automatic teller machines only if the bank owned or rented the teller machine. If a national bank participated on a transactional fee basis, it could not be accused of illegal branching.

The Banking Convenience Act clears up what has become a murky situation by codifying the so-called owned or rented rule.

The Banking Convenience Act is not just a New York issue. The Banking Convenience Act protects consumers across the country who own access cards to shared automatic teller machines that were issued by national banks.

In 1927, Congressman McFadden produced his landmark banking bill, which permitted national banks to obtain parity on the branching question with their State chartered sister banks. At the time it was a very liberal law. Now 58 years later, the McFadden Act has been turned around by the courts.

Wise as Congressman McFadden was, he could not have anticipated the many changes in technology that have occurred in the last 50 years but I do believe he would be aghast at the manner in which the courts have interpreted the law bearing his name.

Customers of national banks should be able to participate in shared networks. And if national bank customers are away from home and need a cash advance, they should not be discriminated against.

Customers of other financial institutions that belong to shared networks do not want to be priced out of the automatic teller machine market by absorbing more and more of the costs due to the loss of national bank customers in their system.

Funds available for customers of financial institutions is an important matter. If the Banking Convenience

Act is not enacted in a timely fashion, then Congress will be guilty of making it more difficult for average national bank customers to get their money when it is convenient for them and where it is convenient for them.

Consumers need protection from arbitrary court rulings. I suggest we start with the enactment of this bill.●

FRITZ GRUPE, "STOCKTONIAN OF THE YEAR"

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. SHUMWAY. Mr. Speaker, I ask that my colleagues join with me in paying tribute to Greenlaw (Fritz) Grupe, of Stockton, CA. Fritz has been chosen as the "Stocktonian of the Year" by the city's board of realtors for his exceptional contributions to the betterment of the community. I am delighted to have this opportunity to recognize his outstanding accomplishments, and to congratulate him on this highly regarded award which is so well deserved.

For five generations, the Grupes have loved the land around Stockton and Fritz is no exception. As chairman and chief executive officer of the Grupe Co., Fritz has perpetuated his family's dedication to productivity and environmental beautification through carefully planned and executed development projects.

Fritz' leadership has benefitted the community across the spectrum. He has served as president of the chamber of commerce and the board of realtors. He is a member of the Board of Trustees, Research Foundation, Land Use Policy Board and Executive Committee of the Urban Land Institute. He also serves as a member of the International Board of Directors of the Young President's Organization, and is a member of the University of the Pacific Board of Regents.

From athletics and physical fitness through youth programs and family activities to education and culture, Fritz Grupe has contributed his time and talent to virtually every aspect of Stocktonian life. He has worked to fight world hunger, to assist the United Way Campaign, and to promote community health, spirit, and cooperative understanding.

In short, Fritz Grupe exemplifies the type of community spirit so important to the American way of life. He has never been too busy to give a little more of himself to another worthwhile endeavor. Fritz has gone out of his way to enhance Stockton, and it is especially fitting that Stockton express its appreciation with this high award. Congratulations to Fritz, and every best wish for continued success.●

EXTENSIONS OF REMARKS

**JOJOBA TAX SHELTER
ELIMINATED**

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. STARK. Mr. Speaker, today I am reintroducing a bill to clarify that the farm syndicate rules which require capitalization of expenses under section 278(b) of the Internal Revenue Code apply to jojoba growers.

In case you haven't heard of these desert-style tax shelters, jojobas are beans which grow on bushes in arid climates and produce an oil used in shampoo and cosmetics and as an industrial lubricant. The jojoba plant takes 5 or 6 years to produce oil for marketing purposes. It takes 3 years to determine if the plants are female and bear beans. It takes then another 3 years for the plants to mature to a stage when they can produce the oil which can be marketed as a substitute for sperm whale oil.

During the first 6 years, the jojoba produces something better than sperm whale oil: The jojoba promoters claim that jojoba syndicates shelter outside income of investors with deductions for 6 years in a row before there is any income from the investment. Their claim, however, is not substantiated by the Tax Code.

The Tax Reform Act of 1976 provides that, when a crop grown by a farming syndicate is the type of crop which takes years to develop from planting to marketing stage, the investors must capitalize the costs of planting, cultivating, and maintaining the crop until there is a commercial crop or yield. The law expressly covers fruits and nuts.

The jojoba investors have argued that section 278(b) does not apply to them because the jojoba is the seed of a fruit and is inedible. Then IRS issued regulations in November 1983, making it quite clear that the capitalization requirement covers jojoba growers. These regulations have brought great consternation on the part of jojoba investors who have petitioned me to "save the whales." Maybe the jojoba investors don't realize that Congress stopped the importation of sperm whale oil in 1971. I surmise that it's a whale of a tax shelter they want me to save.

I am not about to protect taxpayers who have profited from end-running the Tax Code. Therefore, I am introducing this bill today to amend section 278(b) of the Internal Revenue Code to remove any possible shade of ambiguity, any doubt, that the capitalization requirements apply to jojoba syndicates.●

January 24, 1985

**THE FUNDS AVAILABILITY ACT
OF 1985**

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LaFALCE. Mr. Speaker, I would like to introduce legislation designed to end what is called the float game—a game in which banks have been able to set their own rules, often to the detriment of their customers. This is legislation which I proposed with the last Congress.

By way of explanation, the float game is played when a bank and thrift customers are refused access to their funds until deposited checks have cleared. In some instances, customers are informed that the clearing process takes up to 3 weeks—a time period that hardly squares with the reality of the check clearing system.

In part, the float game is a creature of the technological revolution in banking, and its existence demonstrates the unevenness of progress in the electronic age. The fact is that the movement of checks forward through the interstate processing system run by the Fed is quite efficient. When the accepting bank starts a check on its way through the system to the payer bank, the check is handled by machines programmed to read MICR—Magnetic Ink Character Recognition—codes. This mechanized handling of checks results in very rapid clearance of good checks. A problem occurs when a check is bad and must be sent back through the system to the bank which originally presented it for collection. Because only 1 percent of total checks fail to clear, there has been little investment of thought or money in the check return system. The return process is manual, and an uncollectable check must pass through each institution that has handled it, so final notification to the collecting bank can take days. In the interim, the check floats. Institutions that want to take advantage of the slow return process simply tell their customers they must wait until final acknowledgement is received that a check is good.

Depository institutions have a vested interest in the float game. This is so because as long as the funds are not credited and made available to the customer, the bank has the authority to make use of them. Overnight investments of floating funds earn millions for depository institutions—though often at the expense of the consumer.

The chairman of the House Banking Committee, FERNAND ST GERMAIN, has vigorously pressed Federal regulators to end the float game by requiring changes in bank policy and improving the return system. Last year, after

New York State moved to end the float game through regulation, Chairman ST GERMAIN declared that the time had come to demand action on the Federal level. I strongly support that view, and thus today introduce "The Funds Availability Act of 1985," a bill requiring the Federal Reserve to devise and implement rules providing a reasonable period of time within which banking customers can draw on an item deposited in their accounts. In addition, my bill requires institutions to notify their customers in writing of the time limitations applicable to their accounts and to post such notification in a conspicuous place at each branch of the institution.

The check clearing system is a complex maze that handles 3.5 billion pieces of paper per year. It is a system that should be used for the benefit of consumers—not against them. The "Funds Availability Act" would ensure that the system works well for all participants.

The text of the bill follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Funds Availability Act".

PURPOSE

SEC. 2. It is the purpose of this Act to provide all retail banking customers with the ability to draw against items deposited for collection with any depository institution located in the United States within a reasonable period of time.

REGULATIONS

SEC. 3. (a) The Board of Governors of the Federal Reserve System shall promulgate regulations to establish a reasonable period of time within which a depository institution shall permit a retail banking customer to draw on an item which has been received for deposit in such customer's account.

(b) The Board is authorized to collect from depository institutions such information as may be required by the Board for purposes of promulgating the regulations required by this section.

(c) If special circumstances are involved, a depository institution and a retail banking customer may agree in writing to a greater period of time than the period of time specified in regulations promulgated pursuant to this section for the drawing against items received for deposit in such customer's account, except that such agreement shall not be contained on a preprinted form and the use of such agreements shall not be a usual or regular business practice of such depository institution.

NOTIFICATION TO CUSTOMERS

SEC. 4. The regulations promulgated under this Act shall require each depository institution—

(1) to notify each of its retail banking customers, in writing, of the applicable time limitations on the right to draw on items received for deposit in such customer's account; and

(2) to keep posted, in a conspicuous place at each branch of such depository institution, a notice which substantially sets forth the generally applicable time limitations re-

lating to the right of the customers of such depository institution to draw on items deposited in their accounts.

DEFINITIONS

SEC. 5. For purposes of this Act—

(1) the term "Board" means the Board of Governors of the Federal Reserve System; and

(2) the term "depository institution" shall have the same meaning given such term in clauses (i) through (vi) of section 19(b)(1)(A) of the Federal Reserve Act.

EFFECTIVE DATE

SEC. 6. This Act shall take effect on the date of the enactment of this Act.●

CAPPING FRINGE BENEFITS

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GRADISON. Mr. Speaker, I would like to take this opportunity to share with my colleagues an article which I wrote for the Cincinnati Business Courier on the subject of capping fringe benefits, and which appeared in the December 10-16, 1984, issue.

FRINGE BENEFITS: TIME FOR MODEST REFORMS

The Internal Revenue Code defines income for tax purposes to be "all income from whatever source derived." Like most rules, however, this one has its exceptions. Over the years, Congress has excluded from taxable income about a dozen fringe benefits. In addition, other nonstatutory benefits have been excluded on the basis of judicial rulings or administrative practice.

I believe it is desirable to encourage the availability of tax-free fringe benefits. They serve useful social purposes, such as providing health insurance education benefits, legal services, dependent care assistance, group term life insurance and pensions.

On the other hand, there are sound reasons to question the continuation of unlimited tax-free fringe benefits. For example, unrestricted employer-provided health insurance has had the unintended effect of helping to make health care costs the most inflationary component of the economy. The reason is that the present system has discouraged both health care recipients and providers from more carefully considering costs in selecting health care plans.

Based on data collected by the U.S. Chamber of Commerce and the U.S. Department of Commerce, the proportion of employee compensation represented by non-taxable fringe benefits has grown from 12.6 percent to 28.5 percent in 1983. Others have produced somewhat different numbers, but they all tell the same story. Clearly, without some modification, the present system threatens to erode the revenue base. A narrower tax base means higher deficits or higher tax rates, or both.

Fringe benefits comprise approximately one-third of all so-called tax expenditures, defined as how much revenue is lost because of tax exemptions, exclusions, credits and deductions. That's more than \$100 billion every year because of tax-free fringe benefits alone! Unrestrained tax expenditures contribute to higher deficits every bit as much as runaway spending, and both deserve public scrutiny.

There are other reasons for concern. Tax-exempt fringes are obviously counterproductive to the goal of a simpler tax system. Furthermore, employer-provided benefits contain strong elements of inequity. For example, highly compensated employees benefit more from the same dollar value of fringes than do others. In addition, many people, such as most farmers and owners of unincorporated businesses, have no access to tax-free fringes.

This year, Congress clarified a tax treatment of non-statutory fringe benefits. Specifically, the Deficit Reduction Act of 1984 excludes from gross income (that is, as non-taxable) any employer-provided benefit which meets at least one of the following criteria: a no-additional cost service, a qualified employee discount, a working condition fringe, a "de minimus" (so small as to be insignificant) fringe, and on-premises gyms and athletic facilities.

One well-known benefit qualifying for exemption is free airline travel provided to employees by airlines. Under the new law, this and similar benefits will be continued, but only if specific non-discrimination and line-of-business requirements are met.

The changes recently approved by Congress generally have been confined to constraining fringes with relatively minor revenue impact. There are additional steps that would make our tax system fairer and more predictable.

One alternative is to place a value limit, or cap, on each fringe. Group life insurance and death benefits already have such limits. Recently, I proposed a \$5,000 cap on employer-provided education assistance available tax-free to employees, which was enacted. (The average benefit is \$250.)

I think an even better approach might be to provide a single cap on the total value of all fringes offered to each employee. Similar to a so-called cafeteria plan, employees would choose from a menu of fringes and would only pay tax on any amount that exceeded the total cap.

The basic tax treatment of fringe benefits is unlikely to change, nor do I advocate major change. But some reform is clearly appropriate. Modest reforms, along the lines I have just mentioned, will lead us to a more efficient and fairer tax system for all Americans.●

ON THE NEED FOR A SPECIAL ENVOY FOR NORTHERN IRELAND

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. BIAGGI. Mr. Speaker, in my capacity as chairman of the bipartisan Ad Hoc Congressional Committee for Irish Affairs, I have introduced House Concurrent Resolution 7 to designate a special envoy for Northern Ireland.

I wish to place into the RECORD two articles which relate to the need for such a special envoy as well as the support which it enjoys within the Irish-American community. The first is an article by Jack Holland printed in the December 15, 1984, Irish Echo entitled, "After Thatcher's Out—The U.S. Should Come In." The second is an

editorial printed in the Irish Echo the week that the new resolution was introduced.

Following these articles I also wish to insert the full text of House Concurrent Resolution 7 which I omitted from my CONGRESSIONAL RECORD statement of January 3, 1985:

[From the Irish Echo, Dec. 15, 1984]

AFTER THATCHER'S "OUT"—U.S. SHOULD COME IN

(By Jack Holland)

Now that British Prime Minister Thatcher has effectively squashed the prospect of any real progress in Anglo-Irish diplomacy on the matter of Northern Ireland, a few American politicians are arguing it is the time for some diplomatic moves on this side of the Atlantic.

Bronx Congressman Mario Biaggi and Bronx Assemblyman John Dearie both advocate, that the U.S. should take the opportunity to make itself heard in Ireland and England and Belfast. They suggest that the Reagan Administration appoint a special envoy to Northern Ireland. He would act as an "honest broker" between London, Dublin, and Belfast.

In a recent letter to the New York Times, Biaggi wrote: "The time has come for the United States to play a more positive role in trying to assist the peace process in Northern Ireland." He intends to reintroduce his resolution before the Congress calling for the President to designate a special envoy "to investigate and report how best the United States could assist parties in Belfast, Dublin and London, as well as communities in Northern Ireland, to arrive at an early, just and peaceful resolution of the present conflict in Northern Ireland."

Likewise, John Dearie, who has been advancing the special envoy proposal for 18 months, has come to "the sad conclusion . . . that virtually no realistic hope for progress to peace will be attained solely through Ireland and Great Britain negotiating."

"Now more than ever," he says, "American participation in both a peace process and a peace solution" is needed. He notes that every Irish American organization supports the idea of a special envoy.

He also observes that twice recently Reagan's administration rejected the idea. But he argues that Thatcher's off-hand and contemptuous dismissal of the forum report recommendations has created a new set of circumstances which might lead the administration to reevaluate its position. Dearie points out that Reagan gave verbal support to the work of the New Ireland Forum.

He says, "It would appear very inconsistent for the American Government to simply remain silent allowing Prime Minister Thatcher to flatly say 'no, no, no' to the major proposals the report advanced."

Dearie believes that the Irish American community "simply cannot let up their organized, unified voice," which should demand that America give attention to Northern Ireland and apply pressure on Thatcher.

Both Biaggi and Dearie note that President Reagan has made references to Northern Ireland's crisis on several occasions. Biaggi observes that on March 17, 1981, Reagan said, "As President, I recognize the vital importance to our nation and the Western alliance of a peaceful, just and swift solution to the current problems in Northern Ireland."

Earlier this year, Reagan spoke in support of the forum. But it is time, wrote Congressman Biaggi, "for the administration to back that sentiment with action." All the pious sentiments in the world, as everyone knows, "don't amount to a hill of beans"—in the words of Humphrey Bogart.

President Reagan will meet with Mrs. Thatcher next week, on Dec. 22. It is obvious what she will be demanding of him: stronger action against Irish American supporters of the Irish Republican Army—however they are vaguely defined.

But it is doubtful if Reagan will do anything to strain that "special relationship" between the two governments. He has shown no inclination to do so before—and there is, from his point of view, even less of a reason to do so now.

In the wake of the IRA's recent attack on Thatcher, Reagan will be more concerned about showing a solid front to oppose terrorism than getting involved in such a contentious issue.

The great pity of it is that Mario Biaggi and John Dearie and those other American politicians involved in the issue are right. There is a vital role for America in regard to Ireland. The British are more sensitive to American sentiment on Northern Ireland than they are to anything else.

The very fact that Irish Americans are monitoring British actions in Northern Ireland already acts as a kind of a brake on British military policy. A more concerted and formal diplomatic approach from the U.S. Government is probably the only thing that will get the British moving. Unfortunately, this administration has shown no will to initiate such an approach—nor is one likely. When I spoke with Congressman Biaggi last week on the phone from Washington, I asked him what he thought about prospects for some move on Reagan's part to pressure Thatcher on Northern Ireland. There was a short silence.

"Hope springs eternal," said the Congressman.

[From the Irish Echo, Jan. 12, 1985]

BACKING A SPECIAL ENVOY

On the opening day of the new Congress resolutions were introduced in both houses calling on the President to appoint a special U.S. envoy to assist in solving the Northern Ireland impasse.

There is ample precedent for such an appointment. In recent years special U.S. envoys have been involved in the Middle East and Latin America. More importantly, there is much that can be done by such an action in the role of a catalyst.

Northern Ireland has been left in a vacuum while world leaders concerned themselves with other trouble spots. This situation cannot continue. Indeed it continues at the peril of the Western democracies.

It is in the interest of not just Ireland and Britain that peace and justice come to this area, but it is important to the United States, Canada and all the Common Market nations.

We commend Representative Mario Biaggi and Senator Daniel P. Moynihan for introducing the resolutions and we urge other members of Congress to support this very worthwhile action.

H. CON. RES. 7

Whereas the conflict in Northern Ireland continues;

Whereas a lasting political and peaceful settlement in Northern Ireland can only be achieved through diplomatic discussion and

accommodation based on the consent and respecting the rights and concerns of all of the people of Ireland;

Whereas the violence associated with the conflict in Northern Ireland, whether civilian or official in nature, serves to impede progress toward a peaceful political solution and has claimed thousands of innocent victims;

Whereas President Ronald Reagan on March 17, 1981, said "As an American proud of his Irish ancestry and as President I recognize the vital importance to our Nation and the Western alliance of a peaceful, just, and swift solution to current problems in Northern Ireland. The United States will continue to urge the parties to come together for a just and peaceful solution. . . . I add my personal prayers and the good offices of the United States to those Irish and indeed to all world citizens who wish fervently for peace and victory over those who sow fear and terror."; and

Whereas the United States has been constructive and helpful in trying to help settle other conflicts in troubled areas of the world by designating special envoys: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should appoint a highly qualified, independent, and appropriately experienced special envoy to investigate and report how best the United States could actively assist all interested parties in Belfast, Dublin, and London as well as the communities in Northern Ireland to arrive at an early, just, and peaceful resolution of the present conflict in Northern Ireland.

TRADE PHOBIA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. EDWARDS of California. Mr. Speaker, I, too, am committed to national security. However, I also want export policies that encourage U.S. firms to sell in the increasingly competitive world market. That is why I am deeply concerned with President Reagan's recent decision authorizing systematic Defense Department review of high-tech exports to 15 non-Communist nations.

I have written to President Reagan urging him to rescind his unfortunate decision. In view of the mounting trade deficit and the accompanying loss of millions of jobs, I believe that this increased Pentagon role in exports can only result in a further deterioration in overseas sales and a further loss of export-related jobs.

I would like to share with my colleagues my letter to the President and an editorial on the issue which was printed in my local newspaper, the San Jose Mercury News. I believe this material will be helpful in the upcoming debate on foreign trade.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 1985.

HON. RONALD REAGAN,
President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: It was with grave concern that I learned of your decision to authorize systematic Pentagon review of all applications for licenses to export certain types of high-tech equipment to 15 non-communist nations.

Your order, Mr. President, clearly downgrades the Commerce Department. It removes from this department, traditionally interested in helping American business, the major responsibility for export licenses and shifts it to the Pentagon. Your order also apparently gives to the Pentagon new authority over "distribution licenses" and authorizes the Pentagon to revise the list of 15 countries as circumstances change. With this order, the signal will go to American manufacturers: "Don't bother to apply for an export license. The Pentagon bureaucrats with kill your sales, either by delay or harassment."

I believe that proper management of the export license process by the Commerce Department can ensure that the Defense Department's concerns will be met. There is total agreement, shared by Commerce, that we don't want sensitive high-tech goods ending up in Soviet hands. The problems will not be resolved, however, by new responsibilities assigned to the Pentagon, a massive bureaucracy notorious for delays and excess paper work.

I represent a portion of California known as Silicon Valley where innovative companies have been at the heart of the explosive development of high technology, providing hundreds of thousands of new jobs and hundreds of millions of dollars in goods sold overseas. In recent years the overvalued dollar and other phenomena have caused our high-tech trade surplus to plummet from \$26 billion in 1981 to approximately \$5 billion in 1984.

I know, Mr. President, that with our trade deficit approaching \$150 billion per year, you share my deep concern over our serious trade imbalance. This imbalance has already resulted in the loss of 2-3 million jobs. Yet your order, giving the Pentagon new powers over export licenses, can only result in a further deterioration in overseas sales and further loss of export related jobs.

Mr. President, the export licensing situation even before this unfortunate new order discouraged legitimate American exporters. Companies in my area have been coming to me frustrated with licensing delays and bureaucratic hassles. One firm, for example, had to wait up to 5 months for licenses which, in the past, had been routinely approved for shipments to Hong Kong, France, and Ireland. Six hundred thousand dollars worth of sales were at risk. Another had to wait nearly 9 months to add a new consignee to a distribution license. Still another, which has consistently exported the same type of product and never once had a license denied, suddenly had two licenses rejected in a matter of weeks. I believe the new order can only make matters worse.

I respectfully, but urgently, request that you rescind your decision transferring the responsibility for these export licenses to the Pentagon. The people in charge at the Commerce Department clearly care about our national security; but, they also clearly care about selling American-made products overseas. It is they who can best balance

these two very important national concerns. For the export licenses at issue here, I strongly urge that you return the responsibility, and provide the resources to carry out that responsibility, to the Commerce Department.

With kindest regards,
Sincerely,

DON EDWARDS,
Member of Congress.

[From the San Jose Mercury News, Jan. 18, 1985]

TRADE PHOBIA

The Pentagon and the Commerce Department couldn't agree, so the National Security Council made up their minds for them. That's not a great way to make a decision, as the new rules for exporting high technology products show.

Last September, this issue seemed to have been largely resolved. High-tech companies would be required to put together a plan to assure that their exports didn't fall into unfriendly hands. The Commerce Department would write a model plan and check up on the companies.

But the Pentagon was displeased. Although its office of Strategic Trade already has authority to oversee any high-tech exports to communist countries, it was concerned about exports to nations like Austria and Hong Kong, where high-technology products have little difficulty parting the Iron Curtain.

Last fall's Commerce Department rules were a reasonable middle ground between national security concerns and the economic benefits of expanded trade.

The forced NSC compromise; on the other hand, may decide the delicate balance between trade and defense by pulling a heavy thumb on the Pentagon's side of the scale.

The NSC compromise allows the Pentagon to choose any 15 non-communist countries and review exports to those countries case-by-case. If the Pentagon objected to a potential shipment, it would have to object within 15 days. If Commerce and the Pentagon could not resolve the disagreement, an NSC deputy would decide.

For the NSC compromise to work well, the Pentagon would have to display an uncharacteristically light touch, choosing countries and products with restraint.

But its Office of Strategic Trade is gearing up to examine 16,000 cases per year which argues that defense authorities intend to make full, complete, and obstructive use of their new powers.

That would add an extra stratum of oversight to a trade process that is already buried in paper work.

The extra bureaucracy put U.S. firms at a competitive disadvantage, while the buyers will simply turn to European or Asian suppliers. Up to 40 percent of Silicon Valley sales are exports so new restrictions could really hurt.

Meanwhile, there is no evidence that this extra level or review, over and above the existing Commerce Department restrictions will prevent the Soviets from acquiring technology from foreign products, from reviewing the published technical literature, and from outright theft and smuggling.

This battle over high-tech exports was fought all last year in the Congress. In the end, even the Republican-controlled Senate didn't believe it made sense to give the Pentagon the statutory authority to oversee exports to non-communist nations.

That was the right decision not this second-guess NSC compromise.●

AAA SUPPORTS SEAT BELT LAWS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. DINGELL. Mr. Speaker, the American Automobile Association, which has been in the forefront of promoting automobile safety, recently has announced its strong support for State mandatory safety belt use laws as the preferred means of slashing highway death and injury toll. AAA will soon undertake a major nationwide effort to convince 40 State legislatures to pass such laws. A national survey of the general public recently completed by AAA showed that American drivers prefer safety belt use laws by a wide margin over automatic restraints. When asked whether they prefer mandatory safety belt laws or purchasing automatic safety devices, fully 67 percent preferred safety belt laws compared to only 27 percent who chose the purchase of automatic safety devices.

In this light, I insert into the RECORD the text of a formal statement on AAA's support for mandatory seat belt use laws which was presented by James B. Creal, AAA president, as part of the AAA Public and Government Services National Conference in Washington, DC, on December 10, 1984.

The statement follows:

STATEMENT BY JAMES B. CREAL, PRESIDENT,
AMERICAN AUTOMOBILE ASSOCIATION

No one knows better than AAA that in our highly mobile American society death by motor vehicle is a national health problem. It ranks just behind heart disease, cancer and stroke as the leading cause of death in this country. And it is the leading cause of death for children and young adults ages 1 to 24.

In 1983, some 43,000 Americans died in highway accidents. Another 400,000 suffered traffic injuries. During the past 10 years 470,000 Americans died in crashes on our nation's roadways.

Total societal costs of these crashes, in 1980 dollars, is about \$57 billion. This includes medical care, productivity losses, property damage, legal and court costs, coroner medical examiner, emergency services, insurance, public assistance administration and government traffic safety programs.

It is equally well known that the single best way to reduce these tragedies is to protect motor vehicle occupants by packaging them securely inside the passenger compartment.

In July of this year, 15 years after the automobile crash protection question first became a public policy issue, Secretary of Transportation Elizabeth H. Dole issued a final rule on occupant crash protection standards. The rule requires installation of automatic restraints in all new cars by the 1990 model year, on a phased-in basis beginning with 1987 models. However, the rule would be rescinded if states representing two-thirds of the U.S. population pass mandatory safety belt laws before April 1, 1989.

Three months ago we wrote to all AAA club managers seeking their views as to which option AAA should support—mandatory safety belt laws or automatic restraints.

Almost unanimously, clubs responding advocated mandatory safety belt use laws. They cite numerous surveys of AAA members on the question. All surveys reported to us show that given the choice, AAA members support belt use laws.

AAA Headquarters also commissioned a study of the attitudes of the general public on the occupant crash protection issue. The survey, just completed last week, was conducted by a reputable, full-service research organization on a national probability sampling basis. It involved 1,005 respondents.

When asked whether they prefer mandatory safety belt use laws or purchasing automatic safety devices, a vast majority of all respondents preferred safety belt use laws: fully 67 percent chose this option, compared to only 27 percent who chose the purchase of automatic safety devices. Six percent were undecided.

The general public, according to the survey, prefers safety belt use laws 2-to-1 over automatic restraints. Analysis of the data shows that the results hold true across all demographic lines—including age groups, income levels and education.

This is a remarkable turn-around in public attitudes over a period of just a few years. Just as drinking and driving is no longer acceptable in our society, there is a shift in mood toward slashing the sorry statistics behind highway crash deaths and injuries.

Based on these findings, the AAA Board of Directors has just unanimously approved a new policy on passenger protection.

The new policy of the American Automobile Association supports mandatory safety belt use laws.

The Board took this action at its December 6 meeting for four reasons:

1. AAA members and the general public show a significant preference for safety belt laws.

2. A policy change at this time positions AAA clubs to work now for laws in their respective states. Forty-four state legislatures should begin session next month. Forty-two of them are expected to have safety belt laws introduced, or public hearings held on the issue. Two other states—New York and New Jersey—already have enacted safety belt laws.

3. Safety belt equipment exists in almost every car on the road right now. It is easy to use, and there is no further cost involved. Its effectiveness has been proven worldwide. It can reduce—by half—the risk of death and injury in a crash.

4. Voluntary safety belt use, which AAA has always strongly promoted, reached an all-time high of only 15 percent national compliance in 1983. By June of this year the use rate had dropped to 13 percent, despite government and private sector initiatives to increase their use.

For these reasons, AAA supports legislation or regulations which mandate use of safety belts and approved child restraint systems by all occupants of passenger cars, vans, pick-ups and trucks, provided the legislation includes at least the following:

1. There should be a reasonable fine established, certainly no higher than that imposed for the ordinary traffic infraction.

2. Violation of the law should not be a part of a state's point system nor have any relation to suspension or revocation of a driver's license.

3. Exemption should be made for certain persons who cannot or should not use safety belts.

4. Exemption should be made for in-use vehicles that at the time of manufacture did not contain safety belt systems.

Where such legislation or regulations are enacted, states should also determine whether violations should be considered when assessing liability for damages in civil actions arising out of motor vehicle accidents, or for imposing surcharges on auto insurance premiums.

AAA also recognizes that compliance with mandatory belt use legislation requires continuing enforcement and public support. Also essential are information programs that increase public understanding of the safety benefits belt use provides to vehicle occupants in traffic crashes or other emergency situations.

At the same time, AAA recognizes that additional passenger protection is necessary. A decision to require vehicle occupants to use their currently available safety systems should not deter efforts to improve on crash protection.

Occupant restraint technologies have advanced considerably during the past decade and further breakthroughs should improve the performance and comfort of such systems, while reducing their costs to a reasonable figure.

Meanwhile, if all states can be convinced to pass safety belt laws, 5,000 lives can be saved each year.

Thirty-four nations with mandatory safety belt laws already have achieved significant decreases in serious injuries and fatalities. In many countries safety belt usage rates have doubled and reductions in fatalities range to nearly 20 percent.

The United States should do no less. Let's all work to make it happen.●

TAX SEIZURE LEGISLATION—THE PUBLIC IS ENTITLED TO RELIEF FROM BAD DEALS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. STARK. Mr. Speaker, when regular Internal Revenue Service collection efforts fail and a taxpayer does not pay his delinquent tax obligations, the Government is empowered to seize the taxpayer's property and sell it to satisfy the liability. This does not happen very often but it does happen. The resulting revenue is very important to the Nation's tax base.

When the law requires the Government to acquire the seized property, this can often turn out to be a bad deal for the Treasury Department and the public. In the absence of an offer to buy the seized property at the minimum bid price, the Internal Revenue Code now requires that it "shall be declared to be purchased at such price for the United States."

What happens if the seized property turns out to be in poor condition or is otherwise unmarketable unless the Government makes a substantial additional investment in it? For example,

what would be the result if the seized property is real estate with a cloud on the title, that would be prohibitively expensive to remove in relation to the delinquent tax obligation? Or how would a seizure be handled involving an automobile that is found to be a real lemon?

Obviously, these kinds of transactions turn out often to be bad investments for the Government. As the law now exists, the IRS has no choice but to bite the bullet, treat the property as purchased by it for the minimum bid price, get stuck with something the Government may not be able to dispose of except at considerable cost to other taxpayers and also lose its tax claim against the delinquent taxpayer for the amount of the minimum bid price.

Some time ago, the General Accounting Office uncovered this problem and recommended that Congress find a legislative solution to it. I am pleased today to present a bill which addresses that concern. It should reduce the needless waste of revenue caused by the Government being forced to restore the marketability of unwanted property it reluctantly acquired through tax seizures.

The idea behind the bill is very simple. I propose that the Internal Revenue Code be amended to provide that if no person offers to buy the seized property at a sale for the minimum bid price, it shall be considered as either: First, purchased at such price for the United States; or second, released back to the taxpayer if the IRS determines it to be against the Government's interest to acquire the property. This Government election shall be made under criteria to be developed by the Commissioner of the IRS.

The bill makes a lot of sense by giving the Government added flexibility to conduct its property seizures on a more prudent and businesslike basis. I welcome Members' support of this needed tax reform legislation.●

TOLERANCE ABORTED

HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. AU COIN. Mr. Speaker, Tuesday was the 12th anniversary of the historic Supreme Court decision *Roe versus Wade*, and the Nation's Capitol was again filled with thousands of demonstrators participating in the annual "March For Life."

My record is one of strong commitment to what I consider to be a fundamental individual freedom for women and their families in allowing them, legally, under our laws, to make their own reproductive choices.

So I don't agree with the march participants who want to overturn Roe versus Wade and to make access to safe abortions in this country illegal.

But I believe most strongly that it is the marchers right to come here, to protest what they consider bad policy and to seek change through the legitimate and recognized channels of change. On this we agree.

And it is a far better response to a perceived wrong than the criminal violence we've seen in crimes across this country—arson and abortion clinic bombings—committed by individuals, and sometimes groups of individuals who somehow see their crimes as furthering their "pro-life" cause.

President Reagan addressed the "March For Life" for the first time since becoming President. I do not agree with his call for a constitutional amendment outlawing abortion. I'm more than a little mystified at the logic that allows him to call for a halt of Government interference in the lives of individuals during his inaugural speech while at the same time trying to inject the Government into the most private of all decisions.

But I was pleased to hear him repudiate the clinic bombings by calling for a complete rejection of violence as a means of settling the issue. In tandem with an earlier statement in which he condemned the violence and pledged to punish those responsible to the fullest extent of the law, a clear message has been sent from a President who opposes abortion but also abhors the bombings. Perhaps now we can be hopeful that the violence will stop.

Last year there were 25 incidents of arson or bombings of abortion clinics in this country, some in my home State of Oregon. Damage has been done in varying degrees—fortunately, so far, with no loss of life or major physical injury to individuals. But damage has been done just the same in terms of increased fear and concern of these bomb attacks and from an enormous increase in clinic picketing, and sidewalk intimidation and harassment. That's a kind of damage that can't be quantified, particularly in terms of invading one of the most private and tortuous decisions a woman ever makes. I'm convinced that the Bureau of Alcohol, Tobacco and Firearms is committed to solving all of the clinic bombings, and commend their fine work I read about in the paper on Saturday in which an intensive investigation on their part led to the arrest of three Maryland men in connection with eight bombings of abortion facilities in the Washington area.

Our response to the violence must be measured and reasoned. And I urge my colleagues to consider some of the thoughts raised in the following editorial which appeared in the New York Times yesterday reminding us of the

need for tolerance. With this in mind, I'm hopeful that hearings on clinic violence can be held sometime soon, with an opportunity for people on both sides of this issue to testify before appropriate committees.

The editorial follows:

TOLERANCE, ABORTED

Last Saturday, dozens of women—some still groggy from anesthesia, some weeping—stood shivering in the icy wind outside the Eastern Women's Center in Manhattan. They had gone there to end their pregnancies, a right affirmed by the Supreme Court in its Roe v. Wade decision 12 years ago; but that right was obstructed by a bomb threat that evacuated the building.

Roe v. Wade does not endorse abortion; it leaves the decision, at least during the first three months of pregnancy, up to a woman and her doctor. Nevertheless, some Americans disagree with it so strenuously that they approve of threats, forcing clinic patients to run a cruel gantlet, and even violence. There have been 30 instances of bombing, firebombing and arson at abortion clinics since May 1982.

"These are hard decisions they make and live with," the director of the center said of the women forced into the cold in Manhattan. "Why are they being singled out as targets of abuse? How can anyone dare?"

Those who dare—those hissing threats and builders of bombs—do so because they are possessed by a zeal that poisons politics. They are so sure they are right they cannot acknowledge that people on the other side of the debate can also be creatures of conscience.

The abortion controversy did not begin with Roe v. Wade, or with modern medical technology. It has divided humankind for centuries; even Aristotle was wary of the question. Those who call themselves pro-life have as much right to speak their minds as those who call themselves pro-choice. But once the former denounce the latter as murderers, they risk one offense against civilized society and commit another.

The risk is that they inflame those hissing threats and builders of bombs. The offense is that they deny the freedom of thought promised by the American contract.

They insist that they proceed on the basis of morality. Not *your* choice, they are telling women. *Our* choice. But someone who believes that no woman should be forced to incubate a fetus against her will can also proceed on the basis of morality.

How do societies resolve conflicts between two opposing moralities? In other countries and other eras, the answer has often been violence, even war. The answer that America has promised, from the Pilgrims forward, is tolerance.

Yesterday President Reagan addressed, for the first time, the annual March for Life anti-abortion protest. After calling for "a complete rejection of violence as means of settling this issue," the President reiterated his commitment to "ending the terrible national tragedy of abortion."

Mr. Reagan's statement was predictable. He has campaigned against abortion for years. But there are millions of Americans who hoped for something more from the President of the United States on this 12th anniversary of a decision that gives practical, even brilliant voice not to abortion and not to its foes but to tolerance. ●

LEGISLATION CLARIFYING THE STATUS OF AUTOMATED TELLER MACHINES

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LaFALCE. Mr. Speaker, we all understand that one of the fundamental challenges of writing laws is to have them specific enough to ensure that the policy question at hand is addressed, yet general enough to anticipate what will take place in the future. Inevitably, we realize that we must rewrite and revise laws that did not anticipate the knowledge explosion and technological advances of the last two decades.

I have found these economic and technological advances to be of particular relevance in the area of banking law. Therefore, I wish to introduce a measure which seeks to smooth the way for consumers to benefit from innovation in the financial service sector.

THE BANKING CONVENIENCE ACT

Mr. Speaker, today I am introducing legislation to clarify the legal treatment of automated teller machines [ATM's].

In so-doing, I am joining Senator PAUL TRIBLE, who proposed this legislation in the Senate in the last Congress. Representative GEORGE WORTLEY of Syracuse also joins me as an original cosponsor.

USE AND DEVELOPMENT OF ATM NETWORKS

ATM's have become important sources of bank services for many consumers, and represent the fastest growing means of electronic funds transfer. Financial institutions are increasingly participating in shared ATM networks, where cardholders of one institution can engage in financial transactions at the terminals owned by many other institutions—ATM's are owned both by banks and by vendors in other industries.

Today, after an investment of over \$1 billion in shared ATM systems, 50 million magnetic cards are used in networks and 9,000 financial institutions participate in over 200 regional systems and 7 national ones. This explosive growth in shared systems has been driven by financial considerations and consumer demand. Shared systems enable institutions to offer their customers convenience and, at the same time, reduce the costs of providing transaction services. Shared ATM's save the costs of tellers and branch facilities, and act as competitive equalizers for smaller institutions which do not have the customer base or income to build their own systems.

Shared ATM networks are also important structural components of the continuing revolution in electronically

provided bank services. ATM network growth has stimulated interest in developing point-of-sale systems—in which the customer's account is accessed by electronic device at the point-of-sale—and in computerized shopping and banking services—both of which will demand system sharing.

ATM NETWORKS THREATENED

Because most of our banking laws were written before the electronic revolution in financial services, ATM networks have developed under a cloud of legal uncertainty and confusion. This cloud of uncertainty has darkened ominously because of a recent court case, and I believe that we must act immediately to dispel any doubts about the viability of these systems.

In April 1984, the U.S. District Court for the Western District of New York ruled that an ATM owned by a supermarket, but used by customers of Marine Midland Bank as part of a shared network, was a branch of the bank for purposes of the McFadden Act, and was thus subject to any branching restrictions applied by the State. Marine Midland is a national bank and had, like most banks participating in shared networks, relied on an interpretation by the Comptroller of the Currency that an ATM utilized by customers of a national bank was not to be considered a branch for the purposes of the McFadden Act unless the machine was owned or rented by the bank in question.

The district court ruling, which is now being appealed, has implications far broader than the specifics of the case imply. In fact, the ruling highlights what has become a patchwork quilt of State and Federal regulation of ATM's, and threatens the existence of shared systems across the Nation. If this ruling is upheld or similar suits instituted, the ultimate result could be that many institutions participating in networks will suddenly be deemed to be engaged in illegal branching. Under the McFadden Act, national banks can branch only to the extent that their state of residence allows State-chartered banks to do so.

In 1981, anticipating such a legal quandary over the status of ATM's, I introduced legislation authorizing national banks to gradually expand their ATM services. These services would expand in the home office area and State, and ultimately across State lines. In January, Representative CHALMERS WYLIE, the ranking Republican on the House Banking Committee, introduced a bill containing language to except ATM's from McFadden Act branching restrictions—an approach I endorse as an ultimate goal.

At this time, however, I have determined to join Senator TRIBLE in introducing legislation to get at the immediate problem of the viability of shared ATM networks. This approach simply codifies the Comptroller's

ruling that an ATM is not to be considered a branch under McFadden unless it is owned or rented by the bank in question.

I should add that in addition to the question of economic and consumer convenience addressed in this legislation, we would also be working toward a more equitable system of regulation for the Nation's banks and thrifts. Under current laws, federally chartered thrifts and credit unions and nondepository institutions like Sears are not subject to restrictions on participation in ATM networks or on their geographic placement. Banks should be accorded the same treatment.

Mr. Speaker, in approving the Banking Convenience Act we would be promoting the very beneficial aspects of the electronic revolution, thus ensuring that consumer convenience is well served.

The text of the bill follows:

H.R. 688

A bill to amend section 5155 of the Revised Statutes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Banking Convenience Act of 1985".

SEC. 2. Section 5155 of the Revised Statutes (12 U.S.C. 36) is amended by adding at the end thereof the following:

"(i)(1) Notwithstanding any other provision of this section, a national bank may share, or permit its customers to use, an automated device that is not established by that bank, and such automated device shall not be considered a branch of that bank within the meaning of subsection (f) of this section.

"(2) For the purpose of this subsection—
"(A) an automated device is established by a national bank only if it is owned or rented by that bank;

"(B) an automated device is not established by a national bank if the bank is assessed transactional fees or similar charges for its use; and

"(C) the term 'automated device' includes, without limitation, automated teller machines, customer bank communication terminals, point-of-sale terminals, and cash dispensing machines.".

CONDEMNING VIOLENCE IN SRI LANKA

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MARTINEZ. Mr. Speaker, in the wake of the senseless assassination of President Indira Gandhi, world attention has turned toward India. As this occurs it is my hope that we can all look southward and observe the violent situation occurring on the island nation of Sri Lanka.

I have recently been informed of the murder of a Catholic priest, Father Mary Bastian, at his church situated

at Bangalai Mannar in the northern province of Sri Lanka. This tragic act is but one of thousands that have taken place over the years between the Sinhalese and Tamil communities. The major source of tension involves a movement for greater autonomy by Tamils. The Sinhalese majority had made a concerted effort to reduce the power and influence of the Tamils, who have lived for centuries in the north of Sri Lanka.

Both sides have perpetrated violence against each other. However, what is most alarming is the Sinhalese government's sponsorship of violence against unarmed civilians. The mass relocation of Tamil youths to detention centers is a reprehensible human rights violation. This coincides with reports that government troops have been sent to indiscriminately burn down the homes and businesses of thousands of Tamils in retaliation for the terrorist acts of a small group of Tamil rebels.

Our Nation has been active in seeking a diplomatic resolution to this situation which could soon become an all out civil war. It is essential that the Sinhalese and Tamils come to a negotiated agreement, and that the United States urge the government in Sri Lanka and the rebel Tamils to control their armies and not use innocent civilians as targets to induce terror and submission.●

UKRAINIAN INDEPENDENCE DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GILMAN. Mr. Speaker, today, I would like to join my colleagues in commemorating the 67th anniversary of Ukrainian citizens proclaimed an independent and sovereign Ukraine.

But this short-lived independence fell under Communist domination 3 years later, in 1921, when Soviet military might and repression crushed the small Ukrainian Army. Eleven years later, this group of men, women, and children was subjected to Josef Stalin's instigated famine of 1932 and 1933. Ukrainian citizens were made slaves of the Soviet Union and ordered to turn over all of their grain to the State. To insure industrialization and collectivization of the Soviet Union, Stalin forced an estimated 7 million Ukrainians to starve to death. Not only did this Soviet tyrant deny that a famine existed, but he refused international assistance and increased grain exports from the Soviet Union. This famine can only be called a manmade holocaust.

This commemoration day of independence 67 years ago serves as a constant reminder of the many decades of oppression committed by the Soviet

Union to freedom loving peoples. Human rights violations continue to occur on a daily basis in the Soviet Union and its satellite countries. The nations of the free world cannot overlook the many years of defiance by the Soviet Union against the spirits of freedom and independence. This spirit is being crushed today in Poland and Afghanistan, and against the more than 50 million Ukrainians held hostage in their own land.

I join my colleagues in commemorating the 67th anniversary of Ukrainian Independence Day today, and pray with them that one day they will see the light of freedom shine across their own shores.●

ECONOMIC OUTLOOK FOR 1985

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● **Mr. HAMILTON.** Mr. Speaker, I would like to insert my Washington report for Wednesday, January 23, 1985 into the CONGRESSIONAL RECORD:

ECONOMIC OUTLOOK FOR 1985

The economy is doing well at present, but serious troubles lie ahead if several problems are not addressed. The curious thing is that the better the economy is doing, the harder it will be to address the problems.

For the moment, anxiety about the economy is not in style. Economic forecasts have brightened, and there seems to be reason for optimism. The numbers on inflation, growth, interest rates, employment, and industrial activity look good. On the other hand, the strong dollar, the trade deficit, and the federal budget deficit are major obstacles to sustained prosperity.

Will these obstacles bring about a new recession in 1985? I think not. None of the usual signs of an impending recession, such as shortages of labor or rising prices for oil and commodities, are present. Consumers are still confident. The last few recessions were brought about to fight inflation, and with no double-digit inflation to contain there is no good reason to allow another. Thus, I expect the economy to maintain forward momentum in 1985.

While I do not anticipate a recession in 1985, I doubt that we will have another surge of growth. I look for slow growth in the next two years, primarily because rapid growth would raise the prospect of a clash between the economy's need for credit and the Federal Reserve's determination to keep the money supply under control.

The government predicts growth of 4.3 percent in 1985. That is not very different from private forecasters, whose projections for growth are only a bit lower. Recently, for example, a group of economists unanimously predicted that the economy will keep moving. They said that the gross national product will expand at a healthy 3 percent to 4 percent rate in 1985, typical for the third year of a recovery and close to what has been viewed as the long-term potential of the economy. They expect the unemployment rate to drop from 7.2 percent to 7 percent by mid-1985, short-term interest rates to rise only slightly, and inflation to

vary little from last year's historically high but now seemingly reasonable rate of 4.3 percent if oil and commodity prices continue to be weak and wage settlements remain moderate. In the longer term, there is concern about resurgent inflation. We have not "nailed inflation," as the White House just announced. There is also concern that joblessness will remain indefinitely at today's fairly high levels.

One very worrisome obstacle is the strong dollar, which makes foreign goods cheaper and U.S. goods more expensive. It is the major reason that the U.S. is running a record trade deficit of \$150 billion per year. Although low-priced imports into this country do much to keep inflation in check, a trade deficit of such size means that most gains in domestic demand promote employment and production abroad rather than in the U.S. Imports are expected to grow faster than exports again this year. Even if the dollar begins to fall soon, I believe that the trade deficit will deepen in 1985 because adjustments occur slowly.

The dollar is being kept up by foreign investors seeking a safe haven and high interest rates in the U.S. Foreigners pumped more than \$100 billion into the economy last year alone, a rate of investment that soon will turn the U.S. into a debtor nation for the first time since World War I. The conditions that attract foreign investment exist in part because the federal budget deficit now exceeds \$200 billion a year. Government borrowing on such scale props up interest rates and draws in money from all over the world.

Immediate and concrete action to cut the federal budget deficit is needed for several reasons. Such action will push the dollar down and narrow the trade deficit. It also will lessen the chance of a recession caused by a clash between a Federal Reserve determined to keep the money supply under control and the demand for credit generated by a growing economy and heavy government borrowing. The willingness of foreign investors to supply most of the funds that business needed was the only reason that government demand for credit did not crowd out business demand last year. However, when the desire of foreign investors to place their money here diminishes, interest rates could skyrocket and the economy could slide into recession if the federal budget deficit has not been cut.

My view is that the economy will not move ahead briskly enough to sweep away these obstacles to sustained prosperity. Consumer spending, the largest single component of the gross national product, is expected to rise only modestly. With federal spending still rising sharply, federal purchases of goods and services will stimulate the economy, but state and local spending are rising more slowly, and, besides, the government sector by itself simply is not big enough to accomplish all that much.

Decisive action to cut the federal budget deficit is the nearly universal prescription for what ails the economy. At least for now, everyone in Washington is saying that the federal budget deficit should be reduced by cuts in spending of \$50 billion or more this year. That target, worthy as it may be, probably will not be hit. Modest cuts in spending may be the best that we can achieve.

Given the political difficulty of big reductions in defense and entitlement spending and the political unpopularity of big tax increases, the effort to cut the federal budget deficit could end in stalemate. This prospect

leads me to think that we will make the necessary cuts only if a crisis develops—a dramatic rise in interest rates, for example. I continue to believe that doing nothing, or very little, is the most perilous course of all.

There is an urgent need in Washington today for extraordinary leadership—leadership that can address problems now before a crisis arises.●

JOB CREATION FOR THE LONG-TERM UNEMPLOYED

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● **Mr. HAWKINS.** Mr. Speaker, today, I am introducing the Community Renewal Employment Act which will provide employment opportunities to long-term unemployed individuals in high unemployment areas. This bill is essentially the same as the one which passed the House on September 21, 1983. Unfortunately, this measure did not become law because the Senate failed to act on it during the 98th Congress. However, I am hopeful that action will be taken by both Houses of Congress this year.

Although the official rate of unemployment has dropped significantly from its peak of 10.8 percent, unemployment remains at intolerably high levels. Moreover, the official rate does not accurately reflect the total number of unemployed, underemployed, or discouraged workers. Almost 8.19 million people were out of work in December 1984 and another 1.3 million were discouraged workers who had given up hope of finding a job. On the average, people who were unemployed in December had been out of work for more than 19 weeks. Almost 1.4 million had been jobless for 27 weeks or longer.

Last July, the National League of Cities conducted a survey of city officials about the kinds of employment problems the cities are facing, what is being done to alleviate these problems and what else needs to be done. The results of this survey were published in August in a report entitled "Employment Problems and America's Cities." The majority of official responding to the survey said that employment is among their highest priorities and would remain so for the foreseeable future. More than half the city officials said one of their most severe employment-related problems is just not enough jobs. Three out of four officials surveyed said that their cities need a program of direct job creation. "City officials clearly do not see the unemployment problem going away soon," the report stated. Not only must public officials help prepare people for employment, but, "at the

same time, they must increase the number of available jobs."

Another study, conducted by the U.S. Conference of Mayors in August and September 1984, found that economic recovery has not reached low-income people in more than half the cities responding. When asked what the Federal Government could do to improve the conditions in their cities, local officials most frequently pointed to job-creation programs. These officials were concerned about the increased dependence on public assistance among former workers who have exhausted unemployment insurance and have joined the ranks of the chronic poor. Declining unemployment rates mask the increase in long-term unemployed people who dropout of the labor force, yet local officials report a growing demand among these new poor for human services. At least half the cities said they are unable to meet this demand.

"The most urgent priority for U.S. domestic economic policy is the creation of new jobs," concluded the recent statement of the American Roman Catholic Bishops. "Society has a moral obligation to . . . ensure that no one among us is hungry, homeless, unemployed or otherwise denied what is necessary to live with dignity," the draft pastoral letter stated.

The Community Renewal Employment Act is a small but essential component of an overall economic strategy. This legislation would not create jobs for all of the almost 2.4 million people who have been unemployed at least 15 weeks, but it would provide some of them with an opportunity to perform needed community services in return for a wage. To allow critical public services to go undone, while millions of workers are idle, is a waste of our most valuable national asset. This legislation would create meaningful jobs for people with demonstrated inability to secure unsubsidized employment and who are in greatest need. Funding would be targeted to areas with higher than average unemployment rates and jobs would be coordinated with longer term economic development strategies. The bill also ensures that rural areas receive a fair share of the jobs provided. Moreover, this bill addresses the employment needs of women by creating jobs not only in programs to repair public facilities, but also in social service activities.

The Community Renewal Employment Act would supplement the existing training programs currently operated under the Job Training Partnership Act. While effective, JTPA provides no actual employment and, at current funding levels, is only serving about 3 percent of the eligible population. The declining, but still high, unemployment rate should not be used to justify inaction on behalf of the

millions of jobless workers who have not yet shared in any economic recovery.

The following is a summary of the major provisions of the Community Renewal Employment Act.

SUMMARY OF THE COMMUNITY RENEWAL EMPLOYMENT ACT GENERAL PROVISIONS

Purpose: To provide employment opportunities to long-term unemployed individuals, especially in high unemployment areas, through grants to State and local governments for labor costs associated with the repair, maintenance or rehabilitation of essential public facilities; for essential public safety, health and social service activities; and for conservation and improvement of public lands.

Eligible Participants: Individuals 16 years of age or older who have been unemployed 15 out of 20 weeks with priority for those who have exhausted or who are otherwise ineligible for unemployment insurance, particularly those who have been unemployed the longest and those in families in which no other member is employed on a full-time basis. Individuals must be certified as meeting these requirements by the appropriate State employment service.

Youth Employment: 20% of the community improvement project funds must be spent on unemployed youth aged 16-19 for part-time work combined with training. Priority is given to economically disadvantaged youth.

Eligible Activities: Community improvement projects include repair, rehabilitation and maintenance of public facilities such as road repair, water systems, mass transportation systems and education facilities; rehabilitation and conservation of public lands and resources such as erosion, flood, drought and storm damage control, and services such as health care emergency food and shelter, child care, and dependent care activities, domestic violence programs, services to the elderly, handicapped and veterans.

Educational Facilities Repair: Funds are to be used for detecting or removing asbestos, energy efficiency remodeling, conformity with environmental protection and health and safety programs, and conversion of unused structures into adult training centers.

Use of Funds: Not less than 75% of the funds available to any recipient under Titles II and III of this Act from funds appropriated for any fiscal year shall be used to provide for wages and related employment benefits to eligible participants. Not more than 15% may be used for the cost of administration. The remainder of the funds may be used for acquisition of supplies, tools, equipment and other materials.

Wages: Eligible participants shall be paid prevailing wages but at least the minimum wage. Participants may be paid up to \$230 weekly (\$11,960 annually) and the maximum wage shall be adjusted annually based on increases in the national average wage. Wages may be supplemented up to 50% from sources other than the Act. Individuals may not be employed in excess of 52 weeks in any two year period.

Authorization: \$3.5 billion is authorized to be appropriated for fiscal year 1986. For each succeeding fiscal year the authorization level is tied to 20% of the long-term unemployed.

Anti-Substitution Provisions: These provisions prevent the displacement of regular

public workers with workers subsidized under this Act, provide for an automatic review where reductions and subsidized jobs occur in the same department, and establish a complaint process for any allegation of substitution.●

TIME FOR ACTION: SAVE THE UNBORN

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LUKEN. Mr. Speaker, 12 years ago this week, the Supreme Court handed down a landmark decision that allows the almost unrestricted right to an abortion. Today I am introducing an amendment to the Constitution that will guarantee a right to life for all persons, regardless of age, health, function, or condition of dependency, including unborn children.

The protection and sanctity of innocent human life ranks in the highest level of moral culture. Our Nation was founded with this principal among others. Yet in 1973, the Supreme Court rules that a human fetus is not a "person" in the constitutional definition of the word, because nowhere in the Constitution does the word "person" have "pre-natal application."

But abortion has been an issue that won't fade away. One of the reasons is the continuing medical research that is providing insight into fetal life. With regular frequency we see new information on the advances in prenatal surgery or the publication of an important study of life before birth. Several forms of fetal distress and some genetic problems can now be detected and treated by prenatal medicine. A fetus likely to be born prematurely can receive drugs that accelerate the maturation of the lungs, and drugs are available to correct irregular heart rhythms of the unborn. Blood transfusions have been given to unborn children and physicians have been able to detect and treat the inability of a fetus to assimilate necessary vitamins.

Despite the insight and cures this marvelous medical science provides, we live in a nation where abortion is one of the most frequently performed operations, and our Supreme Court rules that a fetus is not a "person" under the protection of the 14th amendment. In the case of abortion, our moral sense is running opposite of our advancement in prenatal medical science.

My amendment will recognize the unborn child as a person under the laws of our Constitution. If this amendment is adopted as part of the Constitution, laws would permit medical intervention to save a woman's life, but would require that a reasonable

effort be made to save the life of the unborn as well.●

A TRIBUTE TO THE WORLD'S MOST SOPHISTICATED DIVING COLLEGE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ANDERSON. Mr. Speaker, with the growth of Outer Continental Shelf drilling activities and worldwide expansion of underwater construction and exploration projects, the need for professionally trained underwater divers has greatly increased.

Filling this demand for professional divers has been the College of Oceaneering, headquartered in the Los Angeles Harbor at Wilmington, CA. Founded in 1969, as the Commercial Diving Center, the school has grown to be the largest, most sophisticated commercial diving college in the world. In 1971, Oceaneering International, the world's largest diving contractor, purchased the school as its official diving training division.

Since that acquisition, more than 3,000 divers have been successfully trained for the rigors of the offshore oil industry in three major categories: exploration, construction and repair, and maintenance.

The College of Oceaneering, under the direction of President Jim Joiner, offers students more than 5 acres of campus (8,000 square feet of classroom space), facilities containing double lock hyperbaric chamber and training tanks and a fully equipped shop building and rigging yard. It is the only school in the United States that offers a completely operational bell/saturation system in open water and utilizes such state-of-the-art atmospheric diving systems as the JIM and the WASP.

In recognition of its accomplishments, the Western Association of Schools and Colleges accredited the facility as a community college, allowing the institution to award associate in applied science degrees. The college receives more than 13,000 worldwide inquiries yearly and accepts approximately 350 applications annually.

I join with my wife, Lee, in celebrating the success of the College of Oceaneering. May the international reputation of the school and its faculty continue to grow.●

EXTENSIONS OF REMARKS

67th ANNIVERSARY OF THE PROCLAMATION OF INDEPENDENCE IN UKRAINE

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MANTON. Mr. Speaker, on January 22, 1918, a free and sovereign nation was declared in Kiev and the long cherished dream of the Ukrainian people was realized. I am honored to join in today's celebration which marks the 67th anniversary of the proclamation of independence in Ukraine.

Although today we celebrate Ukrainian independence, Mr. Speaker, we must remember that this independence was shortlived. Within 3 short years after their sovereignty was established, the Ukrainian National Republic was overpowered by the Bolsheviks and more than 40 million Ukrainians lost their freedom. Therefore, today is not only a day of remembrance, but also one of hope and determination that soon Ukraine will be free again.

For the past 67 years, the leaders of the Soviet Union have sought to eradicate the Ukrainian national identity. Under Soviet occupation, the Ukrainian people have suffered persecution and repression. The leaders of the Soviet Union have waged a war of Russification against the Ukrainians which has endangered their culture and heritage. Ukrainians are prohibited from using their language in their schools. The Ukrainian Catholic and Eastern Orthodox religions are outlawed.

The Ukrainian people and their families around the world have never forgotten their fight for a free Ukraine. They have not allowed their spirit, or their determination and optimism that the Ukraine will one day again be free, to diminish. Their dedication is an inspiration to people around the world who are struggling for freedom.

We all share the Ukrainians' struggle because their fight is ours as well. The plight of the Ukrainians is a reminder to all free people to cherish and protect their liberty. And there is no better way to protect our freedom than by supporting the struggles of those who have been denied their basic human rights.

Mr. Speaker, I again pledge my support for the Ukrainian people. It is my hope that one day soon the Ukraine will again be a free and sovereign nation. Today many of us in the Congress commemorate the 67th anniversary of the proclamation of independence in Ukraine. However, this must not be a 1-day event. We must continue the vigil year around until Ukraine is free once again.●

INTRODUCTION OF LEGISLATION TO PROVIDE TAX CREDITS FOR ELDERLY HEALTH CARE EXPENSES

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. CONTE. Mr. Speaker, I stand before my colleagues today to introduce legislation of tremendous importance to the elderly members of our country.

The legislation I am introducing provides a nonrefundable, sliding-scale tax credit for expenses incurred in the care of elderly family members living at home. Under the language of this bill, a qualifying family member is any individual other than the taxpayer's spouse who is: (1) Related by blood or marriage, and (2) at least 70 years of age, or (3) diagnosed by a physician as having Alzheimer's disease, or (4) disabled within the meaning of the Social Security Act.

Qualified elderly care expenses are community-based in nature. They include, but are not limited to, payments by the taxpayer for home health agency services, health care equipment and supplies not compensated for by insurance, and adult day care.

The purpose of this legislation is twofold. First, cost considerations and how best to control public program costs for home health care. The tax credit equals 30 percent of the qualified elderly care expenses during the taxable year. This 30 percent figure would be reduced by 1 percent for each \$2,000 of the taxpayer's income that exceeds \$25,000. In no event, however, would the credit be reduced more than 20 percent. If an individual's adjusted gross income exceeds \$75,000, the credit is reduced by \$1 for each dollar over \$75,000.

The community-based long-term care services emphasized in this legislation are greatly needed. Yet, the magnitude of spending for institutional care continues to dominate. According to a 1984 analysis by the Education and Public Welfare Division of the Library of Congress, expenditures for nursing home care have experienced annual increases averaging 16.3 percent since 1965. In 1982, total nursing home costs amounted to \$27.3 billion. Such costs are expected to reach \$67.1 billion by 1990. Sizeable amounts of public dollars are at stake. The legislation which I propose offers a cost-effective approach to reduce health care costs at the public level.

The second issue this bill addresses is the need for a legislative approach that suits the health care preferences of a growing elderly population. Home health care is on the rise. It has been estimated that 60 to 80 percent of dis-

abled or impaired persons receive home care services from family or friends. Once an elderly person has been placed in an institutional setting for a significant period of time, a pattern of dependency often evolves making residence elsewhere difficult. Institutionalization can virtually deplete the elderly person's life savings and other private resources, making independent living financially impossible. In addition to fearing a loss of independence, many elderly resist nursing home placement because it often means they must give up their lifelong possessions and sever community ties. The administration has shown its support for home health care by their SSI-deeming waiver regulations which allow individuals being cared for at home to retain Medicaid and SSI eligibility even if family income places them over the SSI income guidelines. The only requirements are that home health care costs less than institutionalized health care, and that home health care be as good as, or better than, institutionalized care.

Mr. Speaker, we have a serious issue before us. I feel strongly that this legislation is a positive step to help lower health care costs and promote a closeness within the family. I invite my colleagues to join me in my effort to alleviate the health care burdens placed upon so many families. As our cosponsor list grows, I urge the Ways and Means Committee to hold a hearing to address this legislation.●

OPPOSITION TO SOCIAL SECURITY COLA FREEZE ESCALATING

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ROYBAL. Mr. Speaker, once again the elderly are being threatened with cuts in Social Security benefits to help reduce the deficit. Despite the fact that we cut the cost-of-living adjustment [COLA] in the last Congress as part of the Social Security rescue plan and despite the President's campaign promise not to reduce Social Security benefits, the leadership in the other body wants to deny Social Security beneficiaries the cost-of-living adjustment altogether next year.

I believe Social Security beneficiaries have already borne a disproportionate share of the burden for saving Social Security. I also believe that all of us who campaigned last fall with promises of no more cuts in Social Security should not be allowed to break those promises. I cannot believe that such proposals are being seriously considered so soon after the votes have been counted. Therefore, I am joined by 42 of my colleagues in introducing a reso-

lution that no changes be enacted in current law which would reduce or freeze the COLA for beneficiaries under the Social Security Act.

The declines in the elderly poverty rate from 35 to 15 percent over the last 25 years, which can in large part be credited to the improvement in Social Security benefits, is beginning to be reversed by dramatic cuts in Social Security over the last decade. The 1977 changes in the benefit formula created a "notch" which reduces the value of Social Security benefits for age 65 retirees in the remainder of the 1980's by up to 21 percent as compared with persons retiring at age 65 in 1981. In addition, our Nation's retirees will bear 69 percent of the long-run costs of the Social Security Amendments of 1983 which were designed to solve the Social Security system's financial problems. The most obvious reduction was the permanent provision to delay cost-of-living adjustments from July to January every year. Last year the Office of Management and Budget estimated that this 6-month delay will cost the average retired couple \$1,698 in benefits by the end of the decade. This reduction and annual delay in the COLA, coupled with the taxation of benefits and the increase in the retirement age, have put Social Security on a sound footing by taking money out of the pocket of beneficiaries. It would be a terrible injustice to ask these beneficiaries to take more cuts to solve the budget problems in the rest of Government.

The Social Security System is in good financial condition. The Social Security and Medicare Programs will actually save 3 cents out of every dollar taken in this year while the rest of Government spends \$1.40 for every dollar received. We should not solve the budget deficit by intensifying the hardship of the elderly. A COLA freeze will only reduce the overall budget deficit on paper and would increase Social Security surpluses even more than currently forecast.

I wish to commend my colleagues from Ohio and North Dakota, Ms. OAKAR and Mr. DORGAN, who introduced legislation to remove Social Security from the unified budget in fiscal year 1986, rather than in fiscal year 1992. I agree with Mr. DORGAN and Ms. OAKAR that the Old Age Survivor's and Disability Trust Funds should be removed from the unified budget. Such a move, along with enactment of legislation which I expect to join with the leadership of the Ways and Means Committee in offering next week, establishing a board governed agency, will remove Social Security from the political pressure we have seen over the last few years.

I urge my colleagues to join me in opposing any COLA freeze for beneficiaries under the Social Security Act. According to 1983 Census Bureau data

almost half—43 percent—of families with heads of households age 65 and over have incomes below \$15,000, and one quarter—23 percent—have incomes below \$10,000. According to the estimates of Data Resources Inc., a Social Security COLA freeze would force more than one-half million older Americans below the poverty line in 1986, and more than 2.3 million by 1990. A proposal which reduces the major source of income to the elderly is unconscionable.●

CIVIL RIGHTS RESTORATION ACT OF 1985

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ADDABBO. Mr. Speaker, today I proudly joined a bi-partisan group of my colleagues in cosponsoring the Civil Rights Restoration Act of 1985.

It is most fitting that the authors have inserted the word "restoration" in the bill's title this year. Although the measure will overturn the Supreme Court's decision in *Grove City* against Bell, it is actually only a restatement of what we had all considered to be the law of the land. The Supreme Court's narrow interpretation of title IX of the Education Amendments of 1972 threatens to undo much of what we have accomplished toward eliminating discrimination on the basis of sex.

And if allowed to stand, this ruling could further threaten our enforcement of all other civil rights legislation. My colleagues may remember that in drafting the language for title IX, title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975 were used as models. Application of *Grove City* to the interpretation of any one of these statutes will widen the reach of this bad law and strip many of our citizens of basic protections they have every right to expect. We are heading down a dark tunnel and only swift, effective action will keep us from nightmares.

The legislation now before us is clearer and simpler than the version which passed the House during the 98th Congress. Strong bipartisan support is necessary to insure prompt action, and I am pleased that we are already well on our way toward speedy passage. I urge my colleagues who have not already done so to join this effort to restore the full force and effect of some of the most important laws we have ever enacted.

We know from past experience that passage of a civil rights law is a fine tuned procedure, not possible without an active and persistent coalition. But we have fought these battles already.

We fought them in 1964, in 1968, in 1972, in 1973, in 1975, and at various other times in our Nation's history. Indeed, four administrations have fought along with us. Our civil rights initiatives began with the stroke of a pen. Let's not stand by and watch them disappear the same way. I call on the House to take the lead and see that passage of the Civil Rights Restoration Act is an early first session priority. I call on the House to see that discrimination is not allowed to rear its ugly head once again. ●

PREFERRED PROVIDER HEALTH CARE ACT OF 1985

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. WYDEN. Mr. Speaker, I rise today to reintroduce the Preferred Provider Health Care Act. It's no secret that even through the rate of inflation in health care has slowed somewhat in more recent days, health care costs are still rising far too quickly.

Some elements of regulation, like the prospective payment system, have had very real success in slowing the rate of inflation in the health care system. And increased competition in the health care community can help us do the same. Competition can help us bring down costs and keep quality high, without causing the problems that regulation can create.

There is not one quick, easy solution to what is ailing our health care system. The effort to control health care costs will require major doses of innovation, compromise, and cooperation. And I firmly believe that competition and regulation must exist side by side in the health care market if we are to achieve a balanced approach to the very severe and complicated problems we face.

One competitive approach that is gaining acceptance around the country is the preferred provider organization. Preferred provider organization [PPO's] have sparked fresh hope that Americans can have high quality health care at reasonable prices.

PPO's are alternative health care financing arrangements in which services of some specified list of providers—hospitals, doctors, and so forth—are offered to employers, union trust plans, insurers, and others at predetermined rates, usually at a discount.

Consumers, providers, employers, and insurers can all gain from participating in a PPO. Patients who participate in a PPO not only receive rate breaks, they also retain the right to choose their own physician. Most PPO's also tell providers, prior to treatment, how much they will pay,

and in most instances, if a patient sees a preferred provider, this amount is accepted as payment in full.

Health care provider who participate in PPO's are guaranteed a significant volume of new patients and reimbursement on the traditional fee for service basis.

Employers who participate in PPO's get cost savings and an improved benefit package to offer to their employees.

Insurers who participate in PPO's get a competitive product that can be attached to existing benefit plans.

There are a number of reasons why I am attracted to the PPO concept. First, I believe PPO's have the potential to help us rein in health care costs without Congress setting up a new, massive regulatory labyrinth.

Second, PPO's give communities around the country the flexibility to tailor health care financing arrangements to meet the needs of the local community. This is particularly important because one thing we have learned over the years is that what works for consumers and providers in Portland doesn't necessarily work in Des Moines, and what works in Des Moines doesn't necessarily work in the Bronx.

The third reason I am attracted to PPO's is because they seem to be one of the few approaches for controlling health care costs that many doctors seem ready, willing, and able to participate in.

Finally, I am attracted to PPO's because I believe they can help us forge a new set of relationships between purchasers and providers which emphasize cooperation and consensus. Specifically, they seem to have the potential to bring American businesses, doctors, and hospitals together to work for more cost-effective arrangements for delivering health care services.

In fact, this is where PPO's can make the greatest contribution. PPO's will allow purchaser, such as private-sector employers and unions, which bargain for health care services, to obtain discounts, not by cutting corners on quality, but by ensuring the delivery of services in the most efficient manner possible.

Despite the benefits of these financing arrangements, however, there are obstacles that prevent the use of PPO's nationwide. For example, some PPO's have felt the chilling effects of legal constraints, such as State insurance laws which bar insurers from varying the amount of reimbursement among health care providers.

Other States have laws which prohibit insurers from influencing a covered patient's choice of health care provider. Under these statutes, insurers can do absolutely nothing to discourage patients from seeing doctors who overcharge.

The purpose of my bill, the Preferred Provider Health Care Act of 1985 is to remove these legal obstacles to PPO development. Specifically, this legislation would strike down State laws that limit a patient's choice of provider, restrict insurers from negotiating contracts for lower rates of payment, or prohibit the lawful negotiation of contracts among one or more health plan payors.

I would also like to make clear that this legislation is in no way intended to interfere with procompetitive State laws that relate to provider groups' ability to practice. State laws that promote choice in the delivery of health care services have the same basic thrust as this bill. I want to make it clear that there is nothing in this bill that should be read to overturn those portions of State laws dealing with providers' ability to practice.

In short, my PPO bill does nothing but strike the barriers to PPO development so that we can expand the galaxy of health care choices for American consumers.

This bill would not cost anything and it would not lay out a prescriptive set of ground rules for PPO development.

It would not take away any benefits or cut any needed services for Medicaid or Medicare beneficiaries.

And it would not limit patients' freedom of choice or lock any consumer into a rigid health care delivery system.

Mr. Speaker, no piece of legislation will remedy all of the problems of the health care system, because there is not one, and only one, simple solution. But I think the Preferred Provider Health Care Act can make an important contribution, as we labor to find the right set of approaches for controlling health care costs in this country. ●

AMUSEMENT PARKS SAFETY ACT

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GUARINI. Mr. Speaker, today I am introducing legislation which will strengthen the authority of the Consumer Product Safety Commission over amusement parks. I am pleased to be joined in this effort by my colleague, Mr. ECKART of Ohio.

At present, the Consumer Product Safety Commission has authority only over mobile amusement rides which are dismantled and reassembled by traveling carnivals. In 1981, Congress rescinded the Commission's jurisdiction over similar rides at over 650 fixed sites throughout the country.

My bill will restore the Commission's authority over fixed site rides and will expand it to include amusement buildings or facilities on the same premises which charge an entry fee or its equivalent.

Each year, millions of Americans visit amusement parks around the country. They are a prime attraction for children and teenagers, and are a popular favorite for many family outings. The thrill of the rides and the terror of the spook houses lend excitement to the illusion of danger such visitors seek.

Unfortunately, that illusion can be transformed without warning into a frightening reality. Thousands of serious accidents and occasional deaths occur annually as a result of amusement park mishaps. Yet the Consumer Product Safety Commission is unable to limit the risks families take when they pass through the theme park gates.

In 1983, the Consumer Product Safety Commission estimated that nearly 10,000 injuries sustained on amusement park rides required hospital emergency room treatment. The severity of amusement park injuries ranges from fractures, contusions, abrasions, and dislocations to horrendous fatalities. In the past 10 years, nearly 100 people have died.

Just last year, eight teenagers died in my home State of New Jersey when a fire raged through an amusement park haunted house. In North Dakota, a young child was killed in a fall when a roller coaster restraining bar failed to lock in place. Other tragic deaths have occurred when ride cars have derailed, chains have snapped, and protective devices have failed.

Ordinances governing the safety of amusement rides and facilities vary from State to State. At present, only one-half of the States have any kind of regulations requiring inspection of amusement rides. The patchwork varies from strict guidelines and enforcement procedures to lax and inadequate regulations. And as long as the Consumer Product Safety Commission is unable to set nationwide safety standards for these rides and attractions, American families will play amusement ride roulette every time they make an outing to a theme park.

My bill will address these very real concerns by authorizing the Consumer Product Safety Commission to treat all amusement rides and amusement attractions the same way they treat other consumer products which may cause harm or injury to an unsuspecting public.

Under my bill, the Consumer Product Safety Commission will be able to require amusement park owners to report information which indicates that a particular ride or attraction poses a substantial hazard to the safety of consumers. Commission ex-

perts will be authorized to investigate serious accidents in order to identify design or structural failures which could present threats on other rides. The Commission will be able to act as a national clearinghouse for such information, disseminating warnings to other amusement parks throughout the country. Finally, it will be able to use its authority to require a corrective action plan with the goal of averting further accidents or fatalities.

It is urgent that we take steps to protect the rights of visitors to amusement parks more fully. As consumers, they are entitled to assurances that the thrills they seek at amusement parks are illusory and that their safety on amusement rides and attractions is protected.

I encourage my colleagues to support this legislation, which will enhance and promote safety at amusement parks throughout the country, and will restore the American public's confidence in amusement rides and attractions. ●

DOROTHY L. STARBUCK

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 24, 1985

● Mr. MONTGOMERY. Mr. Speaker, on December 21, 1984, this Nation lost to retirement one of its most dedicated and most successful public servants, Dorothy L. Starbuck, the Chief Benefits Director of the Veterans Administration. Hers has been a lifetime of good will, great works, high standards and unwavering professionalism.

Dorothy Starbuck distinguished herself as a member of the U.S. Army from 1942 to 1946, serving overseas for 2 years in France and Germany and being separated as a captain.

In 1946, working as a clerk in the Chicago branch office, she began what would become a 39-year career with the Veterans Administration, one that would have her serve during the tenure of 11 administrators.

Dorothy gained national attention as the first woman to be appointed to a number of VA managerial positions. In 1962, she was appointed assistant director of the Baltimore regional office and, in 1963 she was named director of the Denver regional office.

In 1967, Dorothy became one of four area field directors in the VA's central office in Washington, heading the benefits program in 13 Western States. For 3 years, 1972-75, she directed the Washington regional office before returning to central office to direct the benefits program in nine Northeastern States and the District of Columbia.

In 1977, Dorothy became the 10th person and the first woman to head the Department of Veterans Benefits,

assuming the responsibilities of an annual budget of \$15 billion, a network of 58 regional offices from Manila, Philippine Islands, to San Juan, and one of the most comprehensive benefits programs administered by the Federal Government.

Dorothy Starbuck has served America's veterans and their families with concern and compassion. Her decisive and firm leadership has set standards of achievement throughout the Veterans Administration and the Federal service. Through her drive for excellence and through the development of innovative and efficient management processes, she has gained for the benefits program, as well as the Agency, international attention.

Dorothy's work is greatly appreciated and admired, as evidenced by the numerous awards and honors recognizing her tremendous accomplishments, among them: The President's award for distinguished Federal Civilian Service, presented by President Jimmy Carter; being named by President Ronald Reagan as a distinguished executive for her "extraordinary accomplishment"; the Civil Service Commission's Federal Woman's Award in 1969; AMVETS' Civil Servant of the Year Silver Helmet Award in 1978; the National Civil Service League's Career Service Award in 1978; and VA Employee of the Year, awarded by the Air Force Association in 1980.

Mr. Speaker, the Committee on Veterans' Affairs and the Congress have depended heavily upon the knowledge, wisdom and advice of Dorothy Starbuck in its numerous legislative considerations regarding veterans' benefits and services over the years.

I know that this great body will want to join with me in commending Dorothy for her dedication to the Nation's veterans and for her remarkable achievements in upholding the principles of freedom through that dedication. We also extend our best wishes to Dorothy as she begins her retirement. ●

THE TIME HAS COME FOR A FAIR AND SIMPLE FLAT RATE TAX

HON. DON YOUNG

OF ALASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 24, 1985

● Mr. YOUNG of Alaska. Mr. Speaker, for several years I have been working for tax reforms which would help to resolve the two most serious problems facing taxpayers—the complexity of the Tax Code and fear of the IRS.

Because these two problems have become more serious over the past few years, I believe the time has come to seriously consider repealing most of

the Tax Code and substituting a simple, flat rate personal income tax. A fair and simple flat income tax with taxpayer protection standards would eliminate the abuses which have been built into the tax system over the years. For this reason, I have reintroduced legislation, H.R. 623, which would substitute a flat rate of tax for the current progressive tax rate system.

The last 2 years, I joined with several colleagues to form a coalition to seek passage of a legislative package establishing a flat rate tax combined with taxpayer protection standards. The proposed legislation would provide for a simple, flat rate tax on personal income with few deductions. Deductions would be allowed for charitable contributions, mortgage interest paid on the taxpayer's principal residence, and trade or business expenses.

Also, there would be an exemption for the first \$10,000 of income. Income above \$10,000 would be taxed at a rate of 15 percent. Most economists estimate that a rate of 15 percent would yield the same amount of personal income tax revenue as the current complicated progressive tax system. These estimates generally do not take into account the amount of revenue which has been lost as more and more otherwise law-abiding taxpayers are being driven to the underground economy by complex tax laws and a growing fear of the IRS. Estimates of revenue lost to the underground economy now total as high as \$91 billion a year.

The income based that is taxed has been so eroded by exceptions and preferences that the rates on what is left to tax must be kept unusually high. Thus, the tax on an extra dollar of income for a typical family earning \$20,000 is 28 percent and become progressively higher.

Another important part of the tax reform legislation would be the enactment of laws protecting taxpayers when dealing with the IRS. These reforms would include protections I have worked for including the requirement of a court order before the IRS could seize property, the requirement that the IRS must follow the written advice of its agents, and the establishment of legal rights for taxpayers during audit examinations.

Passage of this legislative package would go a long way toward providing a fair and simple tax system in which all taxpayers paid their fair share of taxes. Many abuses have been built into a tax system which now covers 2,000 pages of laws and 6,000 regulations and most abuses are difficult to eliminate individually. Instead of piecemeal changes which only increase the complexity of the code, it is time to enact a comprehensive reform which provides a fair tax system for all taxpayers.

Mr. Speaker, the present system creates mistrust and invites abuse by both sides. Some may consider a wholesale change of the tax system a radical step but we in Congress have been trying the piecemeal approach for decades, and look where we are now. ●

**COMBATING YOUTH
UNEMPLOYMENT**
HON. AUGUSTUS F. HAWKINS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 24, 1985

● Mr. HAWKINS. Mr. Speaker, today, I am introducing the Youth Incentive Employment Act which will provide employment opportunities to economically disadvantaged youth, who agree to resume or maintain their education in pursuit of a high school diploma or its equivalent. The bill is essentially the same as that which I introduced in the 98th Congress.

This legislation is designed to combat one of our Nation's most distressing and persisting problems: the problem of high youth unemployment. Despite a modest upturn in overall economic activity, youth in this country continue to face devastating rates of unemployment. The 1984 jobless rate for youth averaged 18.8 percent, more than 2½ times the rate of the total civilian labor force. For minority youth, the problem is much worse; in December of last year, black teenagers experienced a 42.1 percent unemployment rate, nearly six times the national average.

In order to understand the full dimensions of this problem, the Education and Labor Committee's Subcommittee on Employment Opportunities held hearings in May and August of last year on the youth unemployment problem. Testimony confirmed the urgent need for Congress to adopt measures to confront this national tragedy of youth joblessness. I am hopeful that my colleagues will see the merit of taking action on this legislation.

We can no longer afford to ignore this problem and its effects. The high rate of youth unemployment not only creates economic difficulties for our youth today, but also, it creates grave long-term economic and social consequences for the Nation as a whole. The hundreds of thousands of unemployed youth in today's labor market will carry over to higher rates of adult unemployment. Therefore, in order to secure economic well-being for all Americans, it is necessary that we develop methods to employ these disadvantaged youth.

Existing training programs do not offer the necessary resources to cope with the full proportions of youth unemployment. Under the Job Training

Partnership Act, work experience is limited and does not provide the sufficient experience needed to succeed in the labor market. Another obstacle confronted by disadvantaged youth seeking employment lies in their deficiency of basic educational skills. In the May 3, 1984, hearing on youth unemployment, Andrew Hahn of Brandeis University noted that "13 percent of all 17-year-olds are classified as functionally illiterate."

Last year, the Reagan administration proposed a subminimum wage for youth as a means to reduce youth unemployment. Rather than propose an effective initiative to deal with youth unemployment, the administration may submit the proposal to the Congress once again. The subminimum wage is not a viable solution because it ignores those factors which really cause youth unemployment. The subminimum wage would create higher unemployment among older workers, because it would result in the displacement of older workers, while forcing younger workers to choose between a cut in pay or loss of work. The proposal would not open up new employment opportunities, nor would it address the lack of training and basic education faced by America's disadvantaged youth.

Unlike the subminimum wage proposal, the Youth Incentive Employment Act incorporates the needed components of a comprehensive attack on youth joblessness. Under this legislation, employment opportunities work in tandem with the encouragement of educational attainment.

Since the lack of a high school diploma is associated with labor market adjustment problems for youth, it is important that educational achievement accompany employment opportunities as envisioned in my bill. It is estimated that over 1 million youth annually either drop out of school or rarely attend classes. The dropout problem is particularly drastic for young Hispanics. A recent report issued by the Hispanic Development Policy Project based in Washington, DC, places the Hispanic dropout rate in the United States at 45 percent, the highest rate of any group in the Nation. Through the Youth Incentive Employment Act, we have designed a program to discourage this extremely high dropout rate.

The Youth Incentive Employment Act is based on the successful implementation of a Department of Labor 30-month demonstration project mandated by Congress as part of the Youth Employment Act of 1977. The results of this project demonstrate a significant increase in post-program wage earnings which occurred as a result of a job guarantee program. Evaluators of this program found that the low rate of minority youth em-

ployment is not voluntary. When offered minimum wage jobs under this demonstration, minority youth came forward in large numbers. Evaluators concluded, "We now have evidence that the employment deficit is not of the youth's making. The shortage is jobs, not motivation."

Today's youth want to work and want to be of service to their Nation. It is our responsibility as policy makers to guarantee them employment opportunities to enable them to make meaningful contributions to society. The Youth Incentive Employment Act would encourage the completion of school, provide training opportunities and help youth develop a responsible, productive attitude toward work. This legislation is an investment in the youth of our country who are without an education or a job, an investment which will bring us as a nation to return in the form of a healthier economy.

The following is a summary of the major provisions of the Youth Incentive Employment Act:

YOUTH INCENTIVE EMPLOYMENT ACT

Purpose: To provide employment opportunities for unemployed, economically disadvantaged youth as an incentive for such youth to remain in or return to school to improve their long-term employment prospects.

Eligibility: Youth may participate in the Youth Incentive Employment Program if they are: One, not employed; two, age 16-19; three, economically disadvantaged (family income of 70% of the Bureau of Labor Statistics lower living standard).

Participating youths must agree to maintain minimum attendance and performance standards in an educational program leading to a high school diploma or its equivalent or in a remedial education program or approved training program.

Type of employment: Eligible youth may be placed on worksites operated by public agencies, private non-profit organizations or private for-profit employers. Eligible employment may be part-time employment not to exceed 80 hours per month during the school year, part-time employment combined with remediation or training during the summer months, or full-time summer employment of not more than 40 hours per week for at least eight (8) weeks.

Education services: Not less than 15% of the funds provided shall be used for basic, remedial, and alternative education for youth enrolled in the program. Of that sum no more than 15% can be used to provide youth counseling, performance standard enforcement, and coordination between the worksites, the schools and the administrative entities.

Wage subsidy: Eligible employment may be subsidized up to 100% for the first six months of any eligible youth's employment with an employer; the subsidy declines to 75% for any employment with the same employer for more than six months.

Full-time employment during the summer may not be subsidized with a private for-profit employer unless such employment is a continuation of employment for an eligible youth during the school year.

Wages: No less than 70% of the funds from the Act will be allotted for the pur-

poses of wages, benefits, and supportive services for the employed youth and for worksite supervision and supplies. Wages paid to an eligible youth must be at least minimum wage or the rate of pay for similar employment by the same employer.

Administration: Funds will be provided by the Secretary of Labor to service delivery areas under the Job Training Partnership Act (local political jurisdiction or combinations of jurisdiction designated by the governor to administer employment and training services) whose youth incentive plan has been reviewed and approved by the Private Industry Council and local elected official(s) for the service delivery area and has been submitted for review and comment to the governor for a period of 30 days.

Fund allocation: Funds will be allocated among eligible jurisdictions on the basis of a formula taking into account unemployment and the number of economically disadvantaged youth.

Authorization: The Act authorizes the appropriation of \$2 billion for FY 1986 and such sums as may be necessary thereafter. At this level of funding, approximately 750,000 eligible youth could be served. ●

REPEAL OF CONTEMPERANEOUS RECORDS PROVISION OF 1984 TAX LAW

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● **Mr. VALENTINE.** Mr. Speaker, the Tax Reform Act of 1984 contains many restrictive provisions including limitations on investment credits and deductions for automobiles and other related assets.

One provision of the new law which has now gone into effect, received less attention than other provisions during the debate of the bill, and will probably be one of the most difficult provisions of the law to enforce. I refer specifically to the new recordkeeping requirements of amended Code section 274. The amendment to the Code has given the Internal Revenue Service agents more authority in disallowing expenses and credits by removing the taxpayers' ability to prove their expenses by evidence other than logs, diaries, and other forms of recordkeeping.

As a result of this, my office, and I am sure many other congressional offices, has been inundated with letters, telephone calls, and personal visits from constituents who are quite concerned about the effects of this onerous provision.

This public outcry reminds me of the beginning of the 98th Congress when a similar situation existed with the enactment of the 10 percent withholding provision on savings and dividends. We are now faced with a very similar situation and I believe the taxpayers are sending a strong message to us to change the provision of the Tax Reform Act relating to recordkeeping.

Prior to the enactment of the Tax Reform Act of 1984, there were no specific recordkeeping requirements except for travel away from home overnight, entertainment expenses including country club dues, and gifts. The new law adds to the list for which records must be kept: local travel which had been previously exempted from rules by the courts; other transportation property including automobiles, trucks, vans, airplanes, and boats; property used for amusement, recreation or entertainment; computers and related equipment unless used exclusively at the employers' place of business, and other property as listed in the Internal Revenue Service regulations.

Accordingly to the Ways and Means conference report that accompanied the bill, the law means that logs must be kept for automobiles to document business use of the auto; that similar documentation must be kept to prove business use of other listed assets; and that if adequate documentation is not kept for listed property, then no deduction or credit will be allowed with respect to that item.

Thus, the Internal Revenue Service has promulgated regulations to disallow deductions for expenses where "adequate contemporaneous documentation" is not kept.

This is both a change in statute and in Internal Revenue Service policy. Previously, taxpayers had been able to reconstruct documentation when an Internal Revenue Service agent requested proof of deductions. As of now, the reconstruction of records may occur only where they have been destroyed by fire, earthquake, flood or similar disaster. In all other cases, if a taxpayer does not have "adequate contemporaneous documentation," the taxpayer get no credit or deduction for the business expenditures.

Further, all tax return preparers are required to explain the documentation requirement to taxpayers. Then the taxpayer is required to sign a certified statement that the required records exist or the preparer cannot sign the return. Additionally, the taxpayer must indicate on the return, by checking a box, that the required records exist.

As if the above rules are not enough, the statute says that in the absence of clear and convincing evidence to the contrary, a taxpayer claiming deductions without the required documentation will be subject to the negligence penalty. Again, the conference report states that claiming a deduction or credit without the support of the required records is also potentially a fraud.

Because of the harshness of these new rules, many taxpayers will lose deductions this year. I understand that some Internal Revenue Service agents

are even arguing that taxpayers should have logs, diaries, et cetera for previous years. They also argue that the old section 274 statute and regulation are broad enough to require the record.

Because of the severity of the new rules, I introduced legislation on January 22, 1985, H.R. 614, to repeal the provisions of the Tax Reform Act of 1984 relating to the maintenance of contemporaneous records with respect to the business use of certain property. The bill simply repeals section 179(B) of the Tax Reform Act of 1984 and reinstates the provisions of the law that were in effect prior to the enactment of the Tax Reform Act of 1984.

I do not believe that a proliferation of abuses will occur with the repeal of the new regulations. Our intent should be to simplify the tax codes without adding enormously to the burdens of the taxpayers. But yet, this provision does just the opposite. Repealing this provision would not excuse taxpayers of their obligation to prove, upon request, their business expenses. It would simply revert back to the law prior to enactment of section 179(B) of the Tax Reform Act.

I urge my colleagues of the House Ways and Means Committee to give this matter their prompt and immediate attention.

Mr. Speaker, thank you. ●

JAPANESE AUTO QUOTAS

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. TRAXLER. Mr. Speaker, recently, our colleague, JOHN DINGELL, distinguished chairman of the Energy and Commerce Committee, wrote an article discussing the voluntary restraints on the importation of Japanese motor vehicles into the United States. This article appeared in the January 17, 1985, edition of the Detroit Free Press.

As cochairman of the Congressional Automotive Caucus, and as a Member who represents a substantial number of people employed either directly or indirectly by the automobile industry, I believe that the points raised by Mr. DINGELL merit the attention of all our colleagues who believe that the Japanese are interested in free trade.

[From the Detroit Free Press, Jan. 17, 1985]

QUOTAS HELP KEEP US COMPETITIVE

(By John D. Dingell)

Trade policies developed during the rest of this decade can relegate the United States to a fragile and inferior corner of the world market-place or, alternatively, can result in this nation becoming a strong leader in the international trade arena.

We now face a federal budget deficit threatening to exceed \$225 billion for fiscal

year 1986. The federal deficit receives more news media attention, but there is also a trade deficit that may well surpass \$130 billion. If we do nothing about it, or industries, particularly our auto industry and its suppliers, will assuredly be condemned to mediocrity.

Since 1981, the U.S. auto trade deficit has more than doubled—from \$11 billion to \$27 billion. Automobile imports have expanded from \$19 billion to \$32 billion while U.S. automobile exports have declined from \$8 billion to \$5 billion. The \$19 billion automobile trade deficit with Japan alone accounts for more than half of our overall \$36 billion deficit with Japan. This deficit will be greater if Japan fails to renew its voluntary export restraints beyond March.

Japanese tax and currency policies give that nation's automakers a big competitive advantage. The yen is undervalued reportedly by as much as 15 percent, which results in a \$900 per-car advantage. Forgiveness by Japan's government of its commodity tax on exported vehicles saves Japanese automakers an additional \$600 to \$700 per vehicle. Thus, where our automakers compete head-to-head with Japanese automakers, they are at a severe economic disadvantage of over \$1,500 per car.

While the health of the domestic auto-industry has improved over the past year, there are far fewer auto production workers employed today than in 1978, and many once-thriving production facilities are closed forever. High federal deficits are still keeping interest rates high, and modernization of domestic facilities is not yet complete and continues to be a costly burden. Further, Japanese competition has expanded from a small car market, with their automakers now targeting the larger car and sports car markets of the United States, markets once enjoyed almost exclusively by U.S. firms.

Earlier this month Japanese Prime Minister Yasuhiro Nakasone, met in Los Angeles with President Reagan. Trade relations were the main focus of discussion. After the meeting, the president said: "We agreed to work strenuously in the months ahead to open our markets fully and to resist protectionist pressures in both countries."

No one can reasonably fault this statement. However, it is important to recognize the effects of uneven implementation of "free trade" policies and that free trade with the Japanese in the auto industry does not exist and probably never will. The United States opens its doors wide; Japan opens its doors a mere crack or not at all.

Further, workers in the auto industry living in Michigan, Indiana, Missouri, Ohio and other auto-producing states are still unemployed, or at least remember well the heavy toll unemployment has had on their savings and families over the past decade.

Similarly, auto industry suppliers, such as those manufacturing glass, rubber, textiles, machine tools, steel and semi-conductors, are also adversely affected by uneven free trade and reductions in U.S. auto production.

Despite the gravity of the problem in the auto industry, two very significant facts came to light during the Los Angeles talks.

First, our top trade negotiators, U.S. Trade Representative William E. Brock and Commerce Secretary Malcolm Baldrige, were not in Los Angeles. Their only information came from secondhand briefings.

Second and most important, the president and the Japanese prime minister never discussed the question of continuing the voluntary restraints on the importation of Japa-

nese motor vehicles to the United States adopted in 1981. These restraints limit the number of new cars and trucks that can enter the United States from Japan; unless extended, they will expire in March.

Even with the restraints, large numbers of Japanese vehicles enter our ports each year, while only a trickle of U.S.-made cars crosses the Pacific to Japan. Though the restraints are voluntary on Japan's part—adopted only after considerable pressure from our own country—they have resulted in Japan's curbing its appetite to export more vehicles to the United States. Some predict that without the restraints Japan, with its \$1,500 yen-tax advantage, would quickly capture 40 to 50 percent of the U.S. market, making the United States, in effect, a Japanese colony.

In addition, expiration of the restraints would remove a significant incentive for the Japanese to build auto production facilities in the United States. Nissan and Honda now operate facilities here, largely because of the voluntary restraints. Plans to locate a Mazda facility in Michigan also result in large part from the restraints. But more such investments in the United States are needed, and they should involve more than just assembling vehicles with more than 50 percent of the parts produced in Japan.

No one assumes that the restraints will last forever, but the Reagan administration must pressure for their continuation until there is a real gain by the United States in exchange and our auto industry has fully recovered from the recent recession. That gain should include a requirement that Japan resolve the yen-dollar problem, eliminate its tax advantage, and build more cars in the United States. Opening its markets to U.S. cars would be an added, but limited, bonus.

Until there is real action on these matters, the restraints should be extended in March and thereafter. ●

TRIBUTE TO TOM KEATING

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. JACOBS. Mr. Speaker, I place in the RECORD, the Indianapolis Star story of January 11, 1985, announcing the retirement of Columnist Tom Keating, as well as his final column.

These items belong in the permanent RECORD because Tom Keating is simply and superlatively a chronicler of the human heart.

So far as I know, nobody doesn't like Tom Keating.

TOM KEATING LEAVES READERS OF THE STAR AFTER 3,500 COLUMNS

The last of approximately 3,500 daily columns by Tom Keating appears today on Page 19.

Keating, a member of *The Indianapolis Star* staff since 1966 and a columnist since 1971, is leaving the newspaper business to become director of communications at Lilly Endowment Inc.

Though his talent for mining drama, humor and inspiration out of everyday life has made him an Indianapolis institution, Keating refused to portray his career change as a newsworthy event.

"I just wanted to do something different," he said Thursday afternoon. "I've enjoyed the hell out of this, but you feel after a while you could write the history of the world in 700 words."

Others were less restrained.

"I don't believe anyone knows this city—and its people—like Tom Keating," said Lawrence S. Connor, managing editor of *The Star*.

"How does he expect us to start the day without his column? It's worse than being taken off coffee."

"But despite our disappointments, we wish him well in his new endeavor."

Marion County Sheriff James L. Wells, one of the countless sources of story tips developed by Keating over the years, praised the "compassion and human interest" shown in his work.

"It's going to be a loss to *The Star*, but not to the community, because Tom's going to be good wherever he goes," Wells said.

Except for a reception thrown by colleagues, Keating's final workday at *The Star* was typical—a column to write under deadline, a thick stack of mail to sort and a telephone that rarely was silent more than a minute at a stretch.

By his estimate, his phone has rung 50 to 100 times a day, bringing story ideas, pleas for help, words of thanks, compliments and curses.

The columns that have resulted from, and resulted in, those calls have dealt with the highest and lowest echelons of life in Indianapolis and far beyond, even to the Soviet Union.

Policemen and politicians, preachers and prisoners, ballplayers and bums, entrepreneurs and unlikely heroes have been grist for the 45-year-old journalist's vintage Royal Standard typewriter.

A "favorite" column or "favorite" subject would be impossible to single out, he said.

"I just try to write a feature story every day, rather than a gossip column or a political column. Some people call it 'human interest,' whatever that is. I try to find something interesting, something that I myself didn't know about. That's my criterion."

One of Keating's best-remembered columns was one of his earliest. Written in 1971, it concerned an obscure peddler named Herbie Wirth, who told the columnist he had paid for his own funeral in advance because he feared his death would go unnoticed.

The *Star* briefly reported Wirth's death months later, and more than 1,000 people went to Crown Hill Cemetery to pay their respects.

Keating's columns have won numerous first-place awards in state competitions, in sports as well as features categories. A book of selected columns, *Indiana Faces And Other Places*, was published in 1982.

Keating also has been cited by many civic organizations for community service work.

No decision has been made about a replacement for his Monday-through-Friday column.

A FEW FINAL WORDS: THANKS FOR HELPING, THANKS FOR READING

Not long ago a journalism student asked me what I liked best about being a newspaperman.

At the time I gave him a quick answer, but this week I've been thinking about the question a lot because I'm leaving the newspaper business.

This will be my last column for *The Indianapolis Star*. I've accepted a job at Lilly

Endowment Inc. and will start work there next week.

What I've enjoyed most about the last 18 years are the irreverent and unpredictable people who make up a newspaper staff, and simply being able to sit down and write every day.

The thrill of first seeing your name on a story is something that is hard to match.

Even more satisfying is realizing for the first time that you actually can string words together and sometimes make people laugh or cry or just be interested in what you have to say.

And, on those rare occasions when you get it just right, and know you have, it's better than anything.

It makes up for the days when you can't get a sentence on paper in intelligible form.

There also is the matter of access for a newspaperman.

Not only can you pick up a telephone and call a policeman or politician or coach and find out what really happened, but you can always find someone at a newspaper with a great curiosity and a lot of information about nearly every subject.

Everyone asks me what stories I remember best. Actually, I don't remember the stories as much as the excitement or humor or sadness surrounding them.

I have no idea why certain incidents come to mind today.

I remember Bobby Kennedy coming to declare his candidacy in the 1968 Indiana presidential primary. He arrived one night to sign his name at the secretary of state's office in the Indiana Statehouse.

When a huge crowd surged in behind him, aides whisked him inside the tall doors of the office and shut them tightly. By luck, I was watching the proceedings from inside the office, and all of a sudden I had Kennedy, his wife and a daughter all to myself for a quiet interview while about 5,000 people caused a commotion outside.

I introduced myself and was half-expecting some Olympian reply along the lines of "I dream dreams, etc." Instead, Kennedy cleared his throat and asked "Could you tell me if there's a restroom in here? I really have to go."

A few weeks later, I was at 17th Street and Broadway the night Martin Luther King Jr. was assassinated and I watched Kennedy calm an angry crowd with the sheer force of his words. It was the most supercharged moment I've ever witnessed. Part of what he said that night is inscribed on his tombstone.

The most insignificant I ever felt was at a reception for some 100 winners of the Medal of Honor at an out-of-the-way motel in Washington, D.C.

In the space of an hour I met Jimmy Doolittle, Pappy Boyington and many men with no arms and legs, and I realized I was about the only person in the room who had not performed an incredible act of heroism.

I can't forget the man who phoned me and said he was going to kill himself and that I was his last resort. That kind of call was not that unusual, and I took too long getting help for him. The man did kill himself.

Then there was the time I managed to get a private interview with President Gerald Ford in the Oval Office. I was armed with a hundred questions but spent almost the entire 25 minutes talking about how Indiana University had defeated Michigan, Ford's alma mater, in the NCAA basketball championship game a few weeks earlier.

Being able to scribble down stories has given me a chance to see places such as

Russia and Israel and to talk to murderers and maniacs, stars and geniuses. But best of all, I've had the opportunity to ask questions and learn from all sorts of unsung people struggling with their particular lots in life.

I owe a great debt to Larry Connor, who hired me, taught me much, had confidence in what I could do and let me do it without interference. He remained someone I could look up to.

I also owe thanks to people, such as Bill Anderson, Bob Collins, Helen Connor, Mac Trusnik, the late Bob Mooney, Carolyn Pickering, Jerry Lyst, Fremont Power for showing me how to see what was going on and write it down.

My biggest thanks go to the people who have paid their money to read what I have written and who have responded in so many ways for so many years. I appreciate you more than you can imagine. ●

BAPTIST MEDICAL CENTER

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. WHEAT. Mr. Speaker, Baptist Medical Center is celebrating its 25th year of outstanding service to the Kansas City community this month. The center's medical staff, employees, and administrators—both past and present—have earned the community's praise and congratulations on this momentous occasion.

In 25 years, Baptist Medical Center has continually upgraded its medical facilities to meet the needs of the community and increased its participation in community affairs.

Initial fundraising efforts began as early as 1938 when the board of trustees incorporated under the name of Baptist Memorial Hospital. Charles F. Curry was appointed general chairman of the building fund campaign. Construction on the hospital finally began in 1953 and on January 20, 1960, the first patients entered Baptist Memorial Hospital. Mr. Goldman Drury served as the hospital's first administrator from 1957 until 1960 and Mr. Hamilton Reid managed the hospital for the next 17 years.

In 1972, the hospital expanded to include a new lobby, emergency room and the relocation of several departments to two new lower levels. In the same year, the Charles F. Curry Center for Education was completed. The center provided enough room to begin education programs for the community as well as the hospital staff.

Baptist Memorial Hospital underwent corporate reorganization in 1982 forming a parent corporation, Baptist Health Systems. Under the reorganization, the hospital's name was changed to Baptist Medical Center. Today, the medical center is the largest of six subsidiary corporations of Baptist Health Systems. For the past 4 years, Dan H.

Anderson has served as president of Baptist Health Systems and Baptist Medical Center.

The medical center has expanded its services to include the Midwest Diabetes Center, the Eye Institute of Mid-America and the Cancer Institute of Mid-America. Most recently, the Eye Institute of Mid-America opened an outpatient surgery center. In 25 years, Baptist Medical Center has grown to a facility of 325 staffed beds, 1,200 employees and a medical staff of 508 physicians.

Community involvement has always been a growing priority at Baptist Medical Center. Two years ago, the medical center sponsored Kansas City's first triathlon and plans are underway for the third annual event. In the past 2 years, the medical center has invited the community to participate in the Colon Cancer Screening Program and a Wellness Program designed to promote better health in business and industry.

Mr. Speaker, congratulations to Mr. Anderson and the entire medical center staff for 25 years of service to Kansas City. ●

PHYLLIS FRANK

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. BARNES. Mr. Speaker, while the Congress was out, Montgomery County, MD, lost a very dear friend. Phyllis Frank did so much more in her life than seems, to most of us, humanly possible. Phyllis was a leader in the purest sense, providing to us in every moment that virtually nothing was impossible, no challenge too awesome, no principle too burdensome—no dream that could not, with dedication of purpose, be fulfilled. The world's misery and hardship never dissuaded her belief that each person can choose to live on the brighter side of life, and that, in doing so, makes life better for those around them. Hubert Humphrey once said that life is to be enjoyed, not endured. Phyllis Frank, in her remarkable way, showed us how beautifully it can be done.

I want to share a beautiful eulogy written by Phyllis' dear friend, Mary Ann Winter, and an editorial about Phyllis printed in the Washington Jewish Week:

WE MOURN PHYLLIS FRANK

My wonderful organization Pioneer Women/Na'amat and my wonderful friend Phyllis are so intertwined within my memories, within my heart that it is nearly impossible to separate them. I venture that for most of us here and by now throughout this country and in Israel that this is also true. And today it is so very painfully true for all of us and for the most recent new members and for our dear council president and na-

tional president and past national president and Phyllis' co-vice presidents because they loved her so.

For nearly 20 years almost daily and until most recently between the hours of 8:00 and 8:30 a.m., Phyllis and I began our day on the phone with what was happening and with what needed to be done. As the years went by and Phyllis became involved in more and still more issues, organizations, causes and concerns our topics pyramided and divided into the most complex and crucial issues facing the Jewish people and people everywhere.

And still each conversation began with Pioneer Women. Of course Pioneer Women is a major participant in the events of modern Jewish history, but deeper than this was that for us, Pioneer Women had been the starting point—the adventure that was to become the focus of our entire adult lives, our values, our friendships, the way we raised our children began in Pioneer Women. And we learned and grew and worked and laughed and cried but mostly laughed. Then before you knew it, Phyllis was the expert and along the way, Phyllis brought us all with her.

Her personal honor and integrity became Pioneer Women's honor and integrity. She brought us to new awareness and involvement. When Phyllis had a cause, there was no battle she wouldn't fight, no issue too big or too small. She would come with all of her energies and intellect, with a zeal we would all get caught up in. And by the next morning everyone had their job to do—and boy, were we doing it! You didn't realize for a moment that just yesterday you hadn't known anything much about French Djibouti or about that particular bill that was up before that particular committee. Phyllis brought her zeal and confidence for getting it done, and because her honor, which was by then our honor, was all wrapped up with the issue, we got it done. She had the ability to focus what seemed to be all of herself on each individual issue and on each individual person simultaneously.

She was the most giving, generous person, of herself and of her family, that I have ever known. Her entire home became a Hanukkah bazaar or a movie theater. Each friend and relative was taken to her heart and into her family. No hour of the day or night was ever inconvenient and nothing was too much to do. She would go to a Task Force meeting in the morning, give a major speech at noon, something that was never easy for her to do though she did it often, pick up Stuart and Wynne at school, make her 15th stop at the supermarket and cook dinner for the 20 people coming that evening. We used to joke that there was a sign at Ben Gurion airport that read: "When in Washington, stop at the Franks."

And she loved it. She so loved the life she led. The political intrigues, the behind the scenes maneuvering and the shtick—she understood it all. Her interests and abilities and leadership brought her into contact with every segment of the community, and all came to respect and admire her and more—to care for her. And within Pioneer Women, she cared about and knew about what was going on in every aspect of our daily functioning at every level—club, council, national and international—both personally and organizationally, and she loved it.

She was proud of her own accomplishments, of our accomplishments. Sometimes she was amazed. There were times that we would just hug each other and giggle for the joy and wonder of it all, of what we had done.

And we were so proud of her. She gave prestige to our organization. We were proud to be her associates. Proud to be able to almost keep up with her. Proud to be her friend. No, more than that—and we said it to each other. We felt so lucky that the fates had allowed us different women of different ages from different geographical locations to be together in the same time and in the same place.

All the positions she held, all the awards bestowed upon her were hers in our minds and hearts way before the official presentations. She and Morty and Stuart and Wynne were part of each of our personalities, and we all were warmly, genuinely taken into theirs. She was more than "Pioneer Woman of any one year." She was our "Pioneer Woman of two decades."

From all of us, Phyllis, from your friends and neighbors, from the community, Jewish Community Center, U.J.A. Federation, Hahonim, Labor Zionist Alliance, National Jewish Community Relations Advisory Council, American-Israel Public Affairs Committee, the Israel Embassy, the political arena, from your loving haverot throughout the country and in Israel and all of us in the 14 clubs here and most especially from your fellow members at the lunch at the Big Boy Club—for being what you were for being part of us—our undying gratitude and love.

PHYLLIS FRANK

Only death could stop Phyllis Frank. When she fell and broke her hip in Israel at the end of the World Zionist Congress two years ago, she flew all the way to Washington before undergoing medical treatment.

Within days, she was mobile—on crutches or in a wheelchair—heading a search committee at the Jewish Community Council, attending meetings for Pioneer Women, travelling to New York for Zionist assemblies, making speeches, hosting receptions in her home, and performing the endless and often thankless tasks that made her a leader.

Phyllis Frank was indefatigable. She would hold a planning meeting at home in the morning, attend a luncheon, and an afternoon meeting, and host a reception for a visiting dignitary in the evening—day in and day out. All the while she enjoyed a rich personal life and worked closely with her husband and children.

She was passionately in love with Israel but not uncritically. A life-long Labor Zionist, she disagreed strongly and vocally with the policies of the Likud government. When she spoke of Israel, her face shone, and she talked softly.

She was a feminist and a pioneer. She was the first woman president in the 50-year history of our Jewish Community Council. Pioneer Women—a women's Zionist organization committed to helping working women—was her particular cause.

She was a fighter. She never walked away from a battle worth pursuing, but she never fought with ill will. She fought for her principles and she fought to win. She never quit. ●

SALUTE TO THE FORTY-NINERS

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mrs. BOXER. Mr. Speaker, we live in extremely complicated and busy times, and at the moment, our national consciousness is wrestling with both domestic challenges and international dilemmas. But this past weekend many of us were treated to a healthy relapse into the world of recreation and sports and we watched and cheered an all-American phenomenon, the Super Bowl football game.

Of course, as a Representative from the great city of San Francisco, this was no ordinary Super Bowl for me. The Forty-Niners took their place in football history as the 1985 champions.

I congratulate each and every member of the team and I extend special thanks and congratulations to Coach Bill Walsh and owner Edward DeBartolo, Jr., for their outstanding achievement. We are so proud of you all and I know the people in the bay area are proud of their team.

I am taking this effort to underscore the Forty-Niners Super Bowl win because their triumph can be an example to all of us, even as we cope and maneuver off the football field. The team's strong sense of persistence, its skill, its ability to strategize, and its determination contributed to its win. Those attributes are laudable in all of us. But even without these comparisons, the Super Bowl was simply great entertainment and a wonderful break from a world of many complicated issues and pressures.●

FEDERAL INCOME TAX

HON. RICHARD C. SHELBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. SHELBY. Mr. Speaker, in 1913, when Congress originally decided to permanently tax personal incomes, it predicted that "all good citizens will willingly and cheerfully support and sustain this, the fairest and cheapest of all taxes." Well, the Federal income tax is no longer either fair or cheap. Consequently, tax avoidance and delinquency are on the rise and show no sign of stopping.

Furthermore, Mr. Speaker, as we search for the enemy in this ultimate of compliance battles, it is increasingly apparent that we are the enemy—a Congress which continually passes onerous tax measures under the guise of "reform."

This was no more evident than in the Deficit Reduction Act of 1984. As

you all know by now, section 179(b) imposes new recordkeeping requirements for deductions attributable to business use of passenger automobiles and small trucks. These requirements, incorporated into the House-Senate conference agreement, will undoubtedly lead to mountains of additional paperwork and years of lost productivity.

Our tax system can only function on the basis of trust between the taxpayer and the Government. Once that trust is questioned the credibility of the entire system is jeopardized. Provisions such as section 179(b) place an intolerable strain on the Tax Code's credibility. Consequently, I have today introduced legislation which would repeal these reporting requirements. I urge my colleagues to join me in this effort.●

HOUSING TAX CREDIT FOR THE ELDERLY

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, today I am introducing a bill which would allow a refundable tax credit for the amount of State and local real property taxes paid by persons over 65. This credit could be taken for taxes paid directly or indirectly through rent.

Elderly homeowners often have their homes paid for, and in such cases they probably would not itemize their deductions thereby taking advantage of the deduction currently allowed for State and local taxes. Because of their reduced incomes, a credit will be more beneficial to older taxpayers than a deduction. For many elderly homeowners, real estate taxes are a major expense which can often force them to sell their homes as inflation pushes property values higher.

Our present tax policies have a definite bias toward homeownership, but we must not forget the needs of our elderly renters. In an attempt to help these persons, my legislation will permit eligible persons to take a credit for the portion of their rent used to pay property taxes. As defined in the bill, rent constituting property taxes shall equal 25 percent of the rent paid during a taxable year.

In order to insure that the tax credit allowed by this legislation goes to those most in need, there is a limit to the credit based on the adjusted gross income of the eligible person. The credit will be reduced by the amount by which the taxpayer's adjusted gross income exceeds \$15,000. In addition, there is an absolute limit of \$300 on the credit itself.

Mr. Speaker, I believe this legislation merits the serious attention of

the Congress as it considers changes in the Tax Code. It will provide important assistance to our elderly homeowners and renters alike.●

THE HARDER LINE ON FEDERAL CRIME

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MAZZOLI. Mr. Speaker, I commend to the attention of my colleagues the following article, "The Harder Line on Federal Crime," which appeared in the December 28, 1984, Washington Post.

I regret that the omnibus crime bill had to be the subject of such parliamentary "maneuvering" in the House in order to be passed.

Be that as it may, this article describes that the firm and unflinching use of the provisions of the new crime bill can achieve the results sought by those of us who supported the omnibus approach: It is ridding the streets of dangerous, repeat offenders, and it is protecting innocent citizens from further victimization.

THE HARDER LINE ON FEDERAL CRIME

(By Loretta Tofani)

Donald Payden had served time for cocaine dealing, but he fully expected to be released on bail while awaiting trial on another cocaine charge in New York this fall.

To his surprise, U.S. District Court judge David Edelstein denied bail and ordered Payden held in preventive detention, calling him a danger to the community.

The legal basis for Edelstein's decision—and the decisions of judges in 154 other cases throughout the nation since October—was a provision in the Comprehensive Crime Control Act of 1984, a new federal law that strips away some rights and civil liberties of defendants and convicted persons—and in other cases simply makes life more difficult for them.

In addition to providing for preventive detention, the new law abolishes parole for federal crimes, establishes a commission to determine sentences, narrows the range of the insanity defense and gives federal law enforcement authorities more power to take the assets of persons convicted or narcotics violations or organized crime.

Lawyers in the Justice Department's Criminal Division have been seeking passage of such legislation for years to provide better balance between what Attorney General William French Smith calls "the forces of law" and "the forces of lawlessness."

"People are going to be safer in this country as a result of this law," said Assistant Attorney General Stephen Trott, head of the Criminal Division.

The preventive detention provision—perhaps the most controversial—states that bail can be denied to defendants charged with federal crimes who are a danger to the community. Previously, judges could deny bail only if there was substantial risk that the defendant would not appear for trial.

Preventive detention will help prosecutors "lock up a small group of rabid maniacs who are terrorizing others," said Trott.

But some criminal defense lawyers and lawyers for the American Civil Liberties Union are uncomfortable with the law—particularly with the provision allowing judges to deny bail on the basis of a defendant's potential danger to the community, which in turn is based largely on probable cause for arrest and the defendant's record.

"It's a reversal of the presumption of innocence," said David Landau of the ACLU. "Judges are saying, 'You are dangerous because you're charged with this, and you have to prove you're not dangerous to be released on bail.'"

Defense lawyers also question whether preventive detention will achieve its goal of decreasing violence. They say few defendants commit another serious crime while awaiting trial. They also note that the new law applies only to federal crimes, including bank robbery, terrorism, drug distribution, mail fraud, transporting guns and embezzlement. Defendants in some of the most violent crimes—murder, rape and armed robbery—would not be denied bail under the law.

The establishment of a sentencing commission and sentence guidelines will eliminate much of judges' discretion. Beginning in 1986, federal judges will consult the commission's guidelines to determine the sentence for each convicted person.

Judges will be required to explain in writing any departure from the sentencing guidelines. The law permits defendants and prosecutors to appeal sentences harsher or more lenient than the guideline sentence.

Once the sentence is final, the convict will serve it in full and will not be eligible for parole, although a sentence could be shortened 15 percent for good behavior.

The Justice Department's Trott supports the guidelines. Sentencing by judges today is a "fraud," he said. "The real sentencing was being done by parole officials."

The American Bar Association also supports the sentencing guidelines and reduced discretion of judges. "There has been a wide disparity in sentences [for the same crime]," said Tom Smith of the ABA. "The sentencing guidelines will narrow the disparity by providing to judges a measure by which they can compare the sentence they have in mind with other sentences."

But the ACLU's Landau noted that under the old system any disparity in sentences was corrected by the parole board.

Landau also said prosecutors will have increased power because they will be able to threaten to charge defendants with a specific crime carrying a specific sentence unless they plead guilty, Landau said.

Another provision would limit the insanity defense to those who are unable to comprehend the wrongfulness of their acts. A defendant with a serious mental disease who says he committed a crime because "voices" ordered him to do it could not use the insanity defense.

"It eliminates the present kind of battle of experts you see where we have a struggle over whether or not there was a lack of volition, where it's a question of whether or not there was irresistible impulse," said Associate Attorney General D. Lowell Jensen.

The law also would give federal law enforcement authorities broader powers to seize property, goods and money in narcotic cases and organized crime activities. Previously federal authorities could keep only the contraband seized during an arrest.

Under the new law, however, authorities can keep or sell all assets—including homes—of a defendant convicted in a drug or organized-crime case. The convicted person can keep only assets that he or she can prove did not result from the illegal activity.

To ensure that the defendant does not dispose of assets between arrest and trial, the government has new powers to freeze assets.

Prosecutors say the new provisions will strip away some remaining "benefits" of crime—because convicted persons will no longer return to illegally accumulated wealth when they leave prison.

Some defense attorneys say it could result in inadequate legal defense for clients because they would not have access to their money and other assets.

The defense attorneys' fear is not without basis. Neal R. Sonnet, a Miami defense attorney and former federal prosecutor, this month received a letter from Assistant U.S. Attorney Brian Leighton regarding Sonnet's defense of two men charged with operating a continuing drug enterprise in California.

Leighton wrote, "The government hereby puts you on notice that any and all assets belonging to the defendants are forfeitable to the United States, including any attorneys fees or other valuable consideration received by you, or to be received by you for your representation of the defendant."

Said Sonnet: "People have a right to be represented by the lawyer of their choice. If the Justice Department wants to say that any lawyer who represents a person like this does so at his own peril, then I think this needs to be straightened out in the courts or in Congress."

But the Justice Department sees the matter differently. "If you have drug money, you're not allowed to buy a plane with it, a house with it, or more drugs with it," said Trott. "Why should there be a different rule for lawyers' fees? That money is blood money." ●

A VERY SPECIAL RESCUE-TEAM

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MURTHA. Mr. Speaker, during the recent tragic disaster at the Wilberg Mine in Orangeville, UT, a very special rescue team from the area I represent worked at the scene.

Based in Latrobe, PA, this team of a doctor and six paramedics is believed to be the only medical team in the Nation trained for such mine rescues.

I spoke by telephone recently with Dr. Richard Kunkle who heads the special medical response team, and he will be sending me a report on their work which I will share with the appropriate committee.

For the information of the members, I want to insert at this point an article from the Greensburg Tribune-Review outlining the efforts of the special medical response team.

The article follows:

[From the Greensburg Tribune-Review, Dec. 24, 1984]

TEAM'S WORK WASN'T IN VAIN

(By Dave Lester)

Weary and disappointed, seven members of a Latrobe-based medical team sent to the scene of the Utah mine disaster returned home Sunday after it became clear that there were no more survivors.

"We're obviously upset because our goal was to go down there and save those lives," said Dr. Richard Kunkle, who headed the Special Medical Response Team dispatched to the Wilberg Mine near Orangeville.

Four former Pennsylvanians were among the 27 trapped in the burning mine. Nanette Wheeler, 34, formerly of Johnston, and Lester Walls Jr., 23, formerly of Commodore, in Indiana County were confirmed dead Saturday. Two other former area residents—Barry Jacobs, 27, formerly of Colver in Cambria County and James M. Bertuzzi, 37, formerly of Clymer in Indiana County—are presumed dead.

Working in shifts, the seven-member medical team stayed for hours in 50-degree temperatures while the mine fire raged behind them. They got no more than five hours of sleep during the three-day ordeal, but looked remarkably refreshed as they were greeted by wives and children last night at Greater Pittsburgh International Airport.

"We knew going in it was going to be a big challenge," said Daniel Sacco, the team's chief paramedic.

As it was, the team treated numerous mine rescue personnel suffering from hypothermia, smoke inhalation and extreme exhaustion. They also spent much of their time coordinating operations with other medical personnel in Utah, setting up plans for evacuation by military helicopter.

But Sacco said he felt the team played another important role.

"I think one of the biggest advantages of us being there was the psychological lift we gave," said Sacco. "The rescuers felt very comfortable with us being there and knowing that if something would happen to them we were very close by."

The medical response team—believed to be the only one of its kind—also was able to demonstrate the potential life-saving role of such a unit.

"Without a doubt we proved the validity of the concept," said Kunkle, who is director of emergency medicine at Latrobe Area Hospital.

The team was formed after organizers analyzed a two-year history of mine accidents and found that in at least eight cases a medical rescue team could have made the difference in saving a life.

The team, which includes two other members who were not able to join them, has participated in two other underground rescue efforts in which no one was killed.

The effort also provided them with valuable experience. "It was a great opportunity for the team to see how it could perform under stress," said Paul Culligan, a paramedic from Greensburg. "We knew that we were going into an uncontrolled situation."

They spent much of their time underground in a fresh air base some 3,000 feet inside the mine, according to Kunkle. The fire was burning in an area adjacent to the entryway used for access and ventilation, and they were forced to evacuate the mine twice when the air became dangerous. When they first entered the mine, the fire was still out of control, with rescue crews unable to

get to the location where the trapped miners were believed to be.

It was 3 a.m. Sunday before rescue teams finished exploring the corridors in hopes of finding someone alive. It was at that point that the medical team's job ended.

Sacco said he was struck by the number of miners who were killed. "It's just a horrible, traumatic thing for that many families to go through," he said. ●

GLENS FALLS SALUTES DR. C. RICHARD BARBER

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. SOLOMON. Mr. Speaker, last year, Dr. C. Richard Barber of Glens Falls Hospital in Glens Falls, NY, was honored by the hospital staff and members of the community on the occasion of his 70th birthday. I want to take this occasion, as the 99th Congress begins, to join them in paying homage to him for his years of service promoting quality health care for the people of the Glens Falls area.

Dr. Barber is a graduate of St. Mary's Academy and the University of Vermont Medical School. After his internship, he opened a private country practice in Comstock, NY, as well as serving as the doctor of the local State prison. In early 1942, Dr. Barber served our country in the U.S. Army 98th Infantry Division as a commander of the 323d Medical Battalion-Pacific Theater in World War II. He was decorated with the Bronze Star and achieved the rank of lieutenant colonel. Upon returning home to Glens Falls in December 1945, Dr. Barber opened a private general medical practice.

But Dr. Barber had not finished serving his country. In September 1968, he received a certificate of appreciation from the results of Vietnam Ministry of Health in recognition of his invaluable cooperation and assistance in the field of general surgery at Bac Lieu Hospital. He devoted 3 months of his time to help the sick and wounded as a result of the Vietnam conflict at a difficult time in our history. Three of his sons also served our country during Vietnam.

Throughout his long association with Glens Falls Hospital, Dr. Barber has worked with others to improve significantly the quality of health care in our region. He was active in the establishment of cobalt and chemotherapies, the intensive care unit, the burn unit, the recovery room, and the amniotic membrane bank at the hospital. Dr. Barber was also instrumental in the introduction of hyperalimentation, radioisotope use, tube feeding, and other modern medical procedures. Throughout his long service as chief of surgery, Dr. C. Richard Barber has fulfilled the canons of his profession

with such a degree of excellence and dedication that he remains an inspiration to his patients, the hospital, the staff, and the entire community. We salute him. ●

CHILD RESTRAINTS SAVE LIVES

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GEJDENSON. Mr. Speaker, over the years significant steps have been taken to expand the use of a product that has been proven to save children's lives, child restraints in motor vehicles. Forty-nine States and the District of Columbia have enacted some type of law requiring children to be placed in a safety seat while in a car. Congress has passed laws to provide monetary incentives for States in this regard and to establish a "National Child Passenger Safety Awareness Day" to increase public awareness regarding the lifesaving value of child restraints. These positive actions have been successful in expanding the use of safety seats and promoting the widely accepted and statistically proven fact that safety restraint devices reduce child fatalities and crippling injuries from motor vehicle accidents.

There is, however, an important area that has not yet been addressed. State laws do not require car rental companies to provide their customers with safety seats and in some States temporary vehicles are exempt from child restraint laws. While some of the larger agencies do furnish a limited number of seats at certain locations, not all companies do, and a driver is not always guaranteed this service. I feel that if virtually every State in the country has recognized the value of establishing child restraint laws, it seems both logical and consistent that these devices should be used in rented cars and thus, readily available from rental agencies.

Mr. Speaker, in an effort to close the gap in present law I am today reintroducing a bill to require motor vehicle rental companies to provide child restraint systems in rented motor vehicles to all travelers who need this service. This measure is important if we are to provide across-the-board protection for our young people while traveling in automobiles. My bill has been endorsed by Physicians for Automotive Safety, the American Academy of Pediatrics, Independent Insurance Agents, and the Consumer's Union.

As the parent of two small children, I have become increasingly sensitive to the statistics that demonstrate the need to protect my youngsters by using safety seats whenever they travel with me and feel that a rented

car should be no exception. The statistics are staggering and point out that automobile accidents are the No. 1 cause of child mortality. For instance, more children under the age of 5 are killed or crippled in automobile accidents than by the seven common childhood diseases; automobile accidents are the major cause of epilepsy; and between the years 1978-82 3,400 children were killed and 250,000 were injured in automobile accidents. The truly tragic fact is that studies show that 90 percent of these injuries and deaths are preventable by the simple and correct use of child safety seats.

The bill I am reintroducing today is consistent with laws already in place that are intended to achieve universal usage of child safety seats in order to protect children—our most precious resource—from unnecessary harm. I urge my colleagues to join with me to in this truly worthwhile and lifesaving effort to further advance the use of child safety seats. ●

BREAKING THE CHAIN OF POVERTY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MILLER of California. Mr. Speaker, the Chicago Tribune recently ran a series of editorials entitled "Breaking the Chain." These editorials represent journalism at its best, because they do more than just condemn poverty among children and the enormous costs society pays in the long run. They also describe some proven and very positive alternatives.

"Breaking the Chain" draws attention to many of the same research findings described to the Select Committee on Children, Youth, and Families. In its first 2 years, the committee conducted a number of broad-ranging hearings on children's early development, as well as an intensive series of hearings on child care. What we learned, from some of our Nation's leading scholars and practitioners, is that preschool learning programs are very effective in preventing early school failure and the tragic decline into dependency and poverty that often follows. These programs have also proved to benefit society greatly through lower welfare costs, higher tax revenues, and greater worker productivity.

Early learning intervention on a massive scale, beginning in the very first years of life, could have a far reaching, almost unimaginable impact on poverty if, as noted in the final editorial, we have the foresight and patience to invest now in programs that will yield results only in the years and decades to come. If we have that pa-

tience, the contention in "Breaking the Chain"—that a "strong national commitment to early education is the surest way to break the chain of poverty"—could not be more accurate.

What follows are highlights from the six Tribune editorials. I commend them to my colleagues.

[Dec. 23, 1984]

THE COST OF CHRONIC POVERTY

*** Neither party is talking about the ways chronic poverty saps this nation's strength, and how this affects every American. *** In this fiscal year, federal aid to the poor will total more than \$44 billion, despite the Reagan cuts. The entire nation pays, too, through the failure of American industry to keep pace with productivity gains of its foreign competitors. If you live in a state like Illinois whose 5.1 million workers help support more than 1.1 million public aid recipients, the burden on your pocketbook is even greater. ***

Eventually, [politicians'] constituents must realize that doing nothing carries an enormous cost in lost tax dollars, crippled cities and frayed nerves. For some, it may even mean a knife in the gut or a bullet in the brain.

But there is a reason for mounting a national effort against chronic poverty that goes beyond dollars and fear. There has always been a strong sense in this country, among conservatives as well as liberals, that every American deserves a chance to build a decent life. Conservatives, in particular, know that it should not come in the form of a handout, but as an opportunity a person can seize and develop. ***

[Dec. 24, 1984]

A KEY TO CRIME AND SCHOOLS

*** Here in Chicago, violent youth gangs have come to symbolize the way chronic poverty, educational failure and criminal behavior are inextricably linked. ***

When [youth] turn to crime, their direct victims are usually each other. But they have also managed to drive businesses from Lawndale, middle-class blacks from Woodlawn, a stable ethnic mix from Humboldt Park and good teachers from the Chicago school system. Their problems force up the cost of state and city government at the same time those costs send taxpaying homeowners and businesses fleeing to safer sites. ***

The old hope was that the classroom would break the chain of poverty and dependency. That hasn't happened. In fact, inferior schools are often blamed for perpetuating the underclass. In survey after survey, poor schools and poor public safety outrank high taxes and congestion as the prime reasons for business flight. Companies want a work force that can read and write, and their employees want neighborhood schools where the dominant atmosphere is learning, not terror. ***

The Chicago Board of Education fizzes statistics on dropouts, but counts by neighborhood and civic groups indicate that more than half the students leave before graduation in many high schools. That leads to another figure, perhaps the most revealing of any single statistic on urban life today: About 85 percent of prisoners in the Illinois correctional system have not finished high school. ***

[Dec. 25, 1984]

THE PAYOFFS FOR PRESCHOOLING

A strong national commitment to early childhood education is the surest way to break the chain of chronic poverty. ***

That isn't just theory. It has been convincingly demonstrated, for example, in a long-term study conducted by the High/Scope Educational Research Foundation of Ypsilanti, Michigan. The findings should appeal as much to taxpayers and government budget-cutters as to humanitarians.

In the mid-1960s, researchers in Ypsilanti began to study 123 young children considered to be at high risk of failing once they started school. All came from poor black families. They scored low on IQ tests. Few of their parents had finished high school. Half of the families were on welfare. Almost half were headed by single parents.

Half of these youngsters were enrolled in high-quality preschool programs five mornings a week, either for one year when they were 4 years old or for two years at ages 3 and 4. A visiting teacher also spent 90 minutes a week in each child's home helping a parent provide more learning opportunities. The other youngsters got no preschool education.

Ever since, researchers have followed the progress of both groups. The first reports confirmed that those with the early learning opportunities got better grades and fewer failing marks. They were absent less from school. They needed less special education. And they had a better attitude toward school than a group of similar youngsters who did not get the preschooling.

A second payoff has just been documented, now that the groups have reached age 19. The long-range data show that those who had the preschool education were much more likely than the others to have finished high school and to score average or above on competency tests. More of them had jobs or were involved in higher education. And they were less likely to have been arrested, to be on welfare or to be pregnant.

Because they needed less remedial and special education, it actually cost less to educate the children who got the preschooling than those who didn't, even when the expense of the early classes was included. Researchers report preschool cut the cost per student of each succeeding year in school by about 20 percent—about \$800 per child every year in savings.

In terms of reduced crime alone, taxpayers will save \$3,100 for every one of the young people who got the preschool training, researchers estimate. These are the direct costs of the criminal justice system and don't count the anguish, fear and physical suffering that criminals can inflict on victims. Nor does it attempt to measure the psychological benefits of a reduction in crime rate in a community or any subsequent cutback in private security systems.

Taxpayers have already saved seven times the cost of one year of preschool education in the Ypsilanti project and 3½ times the tab for two years. And the savings resulting from reduced needs for welfare, from less crime and from greater ability to earn will continue for the rest of the lives of these young people—and even reach into the lives of the following generation. ***

[Dec. 26, 1984]

HOW TO BUILD SMARTER BRAINS

*** Scientific findings and abundant case histories leave no doubt that appropriate opportunities to learn are essential to opti-

mal brain development in early childhood. Some researchers estimate that providing an enriched learning environment can raise the level of a child's IQ (only a rough measure of some mental abilities, of course) by 20 to 30 points. This, however, can mean the difference between a child who can function well in a normal classroom and one who is considered educably mentally handicapped, or between a child with average abilities and one with a superior mind. ***

Linguists know that young children accomplish the most difficult and challenging mental task of their lives—learning language with its complex syntax and symbolic meanings—largely before the age when schooling normally begins. Even proud parents and doting grandparents seldom realize the magnitude of this intellectual achievement. ***

Psychologists have also documented how difficult it can be for children ever to catch up if their brains are not adequately nourished by mental stimulation during these critical early years. *** Without abundant, appropriate verbal responses from a loving adult and without great opportunity to learn through every sensory channel, the brain will remain malnourished and its great potential stunted. ***

Excitement about early learning is fast becoming an accepted part of child-rearing. *** But many children lack adequate mental nourishment; their parents are too young, too uninformed, too troubled by their own problems to provide well for the needs of their offspring's growing brains. These youngsters will already be behind when they start 1st grade. And their failures to keep up in school will make them more vulnerable to drug abuse, delinquency, premature pregnancy, unemployment—and inability to escape from poverty. ***

[Dec. 27, 1984]

HEAD START IS ONLY A START

For complex biological and psychological reasons, children who are mentally malnourished during the first few years of life have enormous difficulty catching up in the classroom. Most never do. ***

When this fact first became evident in research done in the early 1960s, it quickly became the basis for one of the most successful of the War on Poverty programs—Head Start. But even Head Start is essentially too little and too late to prevent some mental malnourishment in disadvantaged children. And it has reached only a small percentage of the poor youngsters who qualify for its help.

Even so, Head Start has succeeded. Several dozen scientifically sound, long-term studies have followed Head Start youngsters for many years. Almost all of them show that even this small amount of mental stimulation makes a difference in school achievement, even years later. ***

But Head Start programs are only one way early learning programs can be used to help avoid the devastating effects of mental malnutrition among children who are at risk because of poverty, broken homes and other family circumstances.

Home Start programs are considerably more successful in raising IQ and reducing school failure because they reach disadvantaged children earlier—sometimes beginning during the first months of life—and because they involve parents in increasing the amount of mental stimulation in the home. In Home Start plans, a visiting teacher comes regularly to a home to play learning games with a young child, to lend toys and

learning materials and, in a low-key way, to show the baby's mother how happily her offspring responds to mental stimulation and why it is crucial.* * *

If this nation really wants to help children escape from the underclass and to equip them to succeed in school and after, the most effective way would be to provide them a coordinated package of early learning programs.* * *

[Dec. 30, 1984]

WHAT REAGAN SHOULD DO

* * * An enormous amount of public attention has been focused on the problems created by [the] underclass, but there has been scant attention to the failure of anti-poverty programs to stop its growth. The reason is as simple, and as complicated, as the human life cycle itself. The chain of chronic dependency was not broken because the right resources were not concentrated at the right point: in the preschool years, when a human being can be most easily influenced.

A network of early learning centers serving America's urban ghettos would do more to solve city problems and give a long-range lift to the economy of the entire country than any other domestic initiative hatching in any think-tank or in any politician's position papers or in any socio-economic journal.* * *

The federal government must help. It must begin with a strong commitment, followed by some tough choices. The deficit problem rules out the multibillion-dollar additions to the budget that Lyndon Johnson rammed through in his guns-and-butter days. New federal money for early education will have to be accompanied by cuts in other areas, and that will set off a storm of opposition from recipients, contractors, special-interest lobbyists and the rest of the beneficiaries of government spending. Some people will be hurt. There's no way to avoid it.

But there's also no question that early learning will do what other spending programs have not done, and that is break the chains that lock the underclass out of any real possibility of achievement. The big difficulty lies in gearing the American political process to do the job. It's programmed for quick results, with a notoriously short attention span. Can it acquire the patience and consistency needed to reap the full benefits of educating 3-year-olds? Savings in remedial education will come first, but even those will be several years down the road. The payoff in reduced dependency, crime and neighborhood deterioration, with a resulting boost in productivity, won't be realized for a decade or two.

Only a determined, forceful administration that has the confidence of the bulk of the American people can initiate such a long-term commitment. Ronald Reagan is uniquely positioned to lead that initiative.* * *

Political leaders in a number of states have been impressed with this growing body of evidence and are starting to use it. The leader is California, which will spend \$260 million this school year to educate 150,000 prekindergartners. Much smaller programs are getting underway in New York and New Jersey. South Carolina has a new law reimbursing local school districts for half the cost of educating 4-year-olds considered "at risk." And next year Texas will begin an early childhood education effort expected to cost about \$50 million annually. Eight other states—all in New England or the South—are about to start early-learning projects for

disadvantaged children or are seriously considering them.

These initiatives are promising, but for the most part they don't touch the urban areas hit hardest by the interlocking burdens of poverty, dependency, poor schools, crime, neighborhood decay and business flight.* * *

President Reagan should devote these next four years to leading a national drive to break the bonds of the underclass through early childhood education. Federal money will be needed, but states and cities should divert some of their resources to the effort, too, for the sake of their own fiscal futures. For the same reason, private agencies and businesses should pitch in.

Some presidents earned greatness by winning wars. For Ronald Reagan, there's a better way. He can end the wars raging in the souls of America's cities.●

DES REGISTRY AND SCREENING ASSISTANCE

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GUARINI. Mr. Speaker, on January 7 I introduced legislation which will provide Federal grants to States for programs to identify and aid women and their children who have been exposed to the cancer-causing drug diethylstilbestrol, commonly called DES. I was pleased to be joined in this effort by Mr. WAXMAN of California, Ms. MIKULSKI of Maryland, Mr. WEISS of New York, and Ms. SNOWE of Maine.

My bill, H.R. 508, will assist States which establish programs to identify women who took DES during pregnancy and their children who were exposed to DES before birth. The bill will also aid efforts to disseminate information about the health risks associated with DES, and will support screening and diagnostic services for exposed individuals.

Created in 1938, DES is a synthetic hormone which was frequently prescribed to women who had histories of complications during pregnancy. It was most heavily prescribed from 1940 to 1960. Studies as early as 1953 proved that DES was ineffective in preventing miscarriage, but its use continued until 1971. That year, the Food and Drug Administration (FDA) banned its use during pregnancy. By then, an estimated 4 to 6 million women and their children had been exposed to the drug.

In 1971, a clear link was established between exposure to DES before birth and an increased risk of a rare form of cancer in young women. By 1980, a surprising number of cases of clear-cell adenocarcinoma had been reported. Further studies indicate that up to 90 percent of DES daughters experience adenosis, abnormal growths or structural changes in their reproductive tracts. While these abnormal cell

growths may be the basis for the development of clear-cell adenocarcinoma, increasing evidence indicates that the abnormalities may disappear over time.

Early detection and treatment are vital to efforts to contain this cancer and preserve the reproductive capacities of its victims. My bill will assist DES daughters in obtaining the regular medical examinations and proper diagnostic screening which are such an important part of the follow-up care they require.

Additional studies show that DES daughters experience more difficulties than average women during their own pregnancies. Such women have a higher rate of premature deliveries, miscarriages and associated complications. It is suspected that these difficulties are related to reproductive damage resulting from their exposure to DES before birth. These findings were outlined in a January 25, 1980 article in the Washington Post:

[From the Washington Post, Jan. 25, 1980]

MISCARRIAGES, EARLY BIRTHS HIGHER IN DES DAUGHTERS (By Susan Okie)

The daughters of women who took the drug DES during pregnancy face an increased risk of miscarriage or premature delivery when they themselves become pregnant.

The new finding of researchers at the University of California at San Diego, the University of Chicago and other medical centers is an ironic twist in the history of DES (diethylstilbestrol), a synthetic hormone taken during pregnancy by so many as 1.5 million American women because doctors mistakenly believed it prevented miscarriages.

Dr. Larry Cousins and co-workers at UC-San Diego studied 71 women who had been exposed to the drug because their mothers took it while pregnant.

Comparing these "DES daughters" to a group of unexposed women, Cousins found that 40 percent of the DES group had premature babies and 25 percent of their babies died. The unexposed group had no premature births or infant deaths. Thirty-five DES-exposed women had visible abnormalities of the vagina and cervix. Among them the figures were even higher: 71 percent delivered prematurely, and 43 percent of their babies died.

While the San Diego researchers' results may be artificially high because of the way they chose patients—most women were referred to the medical school by their doctors—other DES experts are also finding that DES daughters have a higher risk of terminated pregnancies or delivering premature babies.

Dr. Arthur Herbst, the gynecologist who discovered in 1971 that DES had triggered cases of a previously rare vaginal cancer in young women exposed to it before birth, now believes the drug has caused an increase in premature deliveries, pregnancy loss and possibly infertility among other DES daughters.

In a study at the University of Chicago, Herbst has found, according to sources who have seen his data, that only 47 percent of DES-exposed women delivered full-term,

live babies in their first pregnancy, compared to 85 percent of women not exposed to the drug. Twenty-two percent of the DES-exposed women delivered prematurely compared to 7 percent of unexposed women and 31 percent of the DES daughters miscarried during their first pregnancy or lost their babies, compared to only 8 percent of unexposed women.

Herbst said the reason why DES daughters may have problem pregnancies is unknown, but recommended that a woman whose mother took DES "should have increased medical surveillance" during her own pregnancy.

She should see her doctor more often than once a month, and the cervix—the opening of the uterus—should be watched carefully for premature dilation.

Because DES exposure before birth may have weakened the cervix, a DES daughter who has lost a pregnancy or shows abnormal dilation may need the cervix tied close during the pregnancy. But he said such treatment is not routinely necessary for DES-exposed women, since most can have live babies without it.

DES, a synthetic form of the hormone estrogen, was prescribed to prevent miscarriages from the 1940s until the early 1970s, despite a controlled study at the University of Chicago in 1951-52 which showed it did not work. It is the daughters of those Chicago women—half exposed to the drug, the other half not—who participated in Herbst's most recent research.

DES, along with other estrogens, is still approved by the Food and Drug Administration for symptoms in older women related to menopause, as a treatment for breast and prostate cancer, and for a few other conditions, although the drug label contains a warning about its ability to cause cancer of the uterus and forbids its use during pregnancy.

Until an FDA ban went into effect last year, it was fed to chickens and cattle as a fattening agent, and was therefore present in meat.

It is still prescribed by some doctors to women just after delivery to stop milk formation by the breast and as a "morning after pill" to prevent pregnancy. Neither of these uses is approved by the FDA.

It is essential that DES daughters and their doctors are familiar with the potential complications DES daughters face if they become pregnant. H.R. 508 will facilitate education efforts aimed at physicians and other health care professionals so that appropriate medical care can be provided to women at risk.

In recent years, evidence has accumulated that shows an increased rate of reproductive and urinary tract abnormalities in the sons of women who took DES during pregnancy. To date, studies have not confirmed a suspected link between exposure to DES and increased rates of genital cancer or infertility in young men. Another Washington Post article, dated October 12, 1980, reported the disturbing preliminary findings:

FERTILITY PROBLEMS LINKED TO DES-EXPOSED SONS

NEW YORK, October 11.—The sons of women who used the controversial drug DES in hopes of preventing miscarriage may have a higher incidence of sterility

than other men, a pilot study suggests. The drug is already linked to vaginal cancer among DES daughters.

The study, based on a new technique for determining male fertility, found an infertility rate of nearly 80 percent among a small group of men who were exposed to DES in the womb and have reached adulthood.

"It's a pretty small pilot study but the numbers are quite significant and somewhat disturbing," said Dr. Morton Stenchever, head of the study and chairman of obstetrics and gynecology at the University of Washington School of Medicine in Seattle.

Stenchever presented the data Thursday at the annual meeting of the Pacific Coast Obstetrical and Gynecological Society in Monterey, Calif.

DES, or diethylstilbestrol, was prescribed to an estimated 4 million women in the 1950s and early 1960s in hopes of preventing miscarriages. It has been linked to a rare form of vaginal cancer in daughters of women who took it, and to genital malformations in their sons. But the fertility of DES-exposed men has never before been reliably tested, Stenchever said, partly because no accurate test of male fertility existed.

The new study used at test called "sperm penetration as say," in which hamster eggs that have been stripped of an outer shell which would block human sperm are exposed to samples of semen. If more than 15 percent of the eggs are penetrated by sperm within two hours, the donor is judged fertile, although actual fertilization cannot occur.

Among a group of men who had never tried to have children, 10 of 13 DES-exposed men were judged infertile by the test compared to only one of 11 of a control group of men not exposed to the drug.

None of the men, who ranged in age from 17 to 30, had an abnormal semen analysis, the only method by which male fertility could previously be tested, Stenchever said.

Continued medical investigation of the effects of DES on men is indeed warranted, and is currently underway. My bill will help keep these young men informed of new developments related to DES by aiding the establishment of voluntary registries of exposed individuals.

Finally, newly completed research indicates that the mothers who took DES during pregnancy are at a much higher risk for contracting breast cancer. On December 12, 1984, the Washington Post reported the most recent findings:

[From the Washington Post, Dec. 4, 1984]
U.S. URGED TO WARN WOMEN WHO TOOK DES—STUDY LINKS DRUG TO BREAST-CANCER RISK

Women who took the drug DES to prevent miscarriage 20 or more years ago are 40 percent to 50 percent more likely than other women their age to develop breast cancer, a Dartmouth University medical study has found.

Dr. Sidney M. Wolfe, director of the Health Research Group, a branch of Ralph Nader's Public Citizen, said yesterday the figures show that the use of DES has led to about 25,000 more cases of breast cancer than would have resulted without DES.

Wolfe urged Health and Human Services Secretary Margaret M. Heckler to begin an effort to notify the estimated 2 million

women who received DES of the increased risk.

Until the early 1970s, diethylstilbestrol (DES) was given to pregnant women in the belief that it prevented miscarriages; it later was shown to be completely ineffective. It also was established that daughters of women who took DES have an increased risk of developing cancer of the cervix or vagina. Several hundred such cases have been documented.

The medical study, published in last week's New England Journal of Medicine, compared a group of nearly 2,700 women who had taken DES between 1940 and 1960 with a group of otherwise similar women who were pregnant during that time.

Of the DES women, 4.40 percent had breast cancer, compared with 3.12 percent of the control group. When the figures were adjusted to eliminate potentially confounding factors, the researchers said, the DES group's breast-cancer rate was 47 percent higher.

"DES thus becomes the major environmentally identified cause of breast cancer," Wolfe said. "All doctors who have ever administered DES to women should search their files to identify all such women and immediately notify them."

The study was conducted by Dr. E. R. Greenberg of Dartmouth University medical school and included women from New Hampshire, Massachusetts and Minnesota.

Scientists suspect that DES mothers may also be especially vulnerable to other forms of cancer of the reproductive organs as they enter middle and old age, when such cancers appear most frequently. It is vitally important that DES mothers are alerted to the risks they face and are provided with opportunities to obtain the thorough examinations they need. My bill will contribute to both these goals.

Clearly, women and their children who have been exposed to DES face increased health risks. The oldest DES daughters and sons are barely 40, so the long-term effects of DES are still unknown. It will be necessary for DES mothers and their children to be examined at regular intervals for the rest of their lives. Yet many DES-exposed individuals are unaware that they are at risk and that they require special screening for cancer and other health problems.

Despite a well-coordinated public education program implemented by the National Cancer Institute in the late 1970's, efforts to publicize the health risks associated with DES have not reached many women and their children requiring special medical attention. In many cases, doctors have been unable to locate women for whom they prescribed DES. In other cases, exposed individuals remain unfamiliar with the drugs their doctors prescribed and have not sought access to their medical records. Still others remain unaware that both their daughters and sons face health risks from their exposure to DES.

Programs to identify DES exposed individuals, advise them of the health risks they face, inform them of the

need for appropriate medical care, and provide minimal diagnostic services have been initiated by only a few States. My bill will encourage and assist these efforts by providing grants to States which establish identification, registration, public education, and screening programs for DES victims. Six million dollars will be available to States or public or private organizations within the States for these programs. The Federal share of funds for such efforts will be available for 5 years, and will decrease from 75 percent in the first year to 35 percent in the final year.

I urge my colleagues to join me in supporting this measure. It is too late to prevent the damage caused by exposure to DES, but we can and should make a commitment to providing health information and medical assistance to those who face an increased risk of cancer or other complications because of their exposure to this drug. ●

A TRIBUTE TO REV. EDWARD SURGES

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LIPINSKI. Mr. Speaker, it is with great pride that I call attention to a respected citizen from Illinois' Fifth Congressional District, which I am privileged to represent, and he is Rev. Edward Surges. Reverend Surges has consistently devoted his time and efforts on behalf of the community, with a particular commitment to our youth.

Reverend Surges grew up on the southwest side of Chicago and, except for time away to study for the priesthood and to study church law in Rome, has lived and worked in the Chicago area. Reverend Surges has worked at St. Dionysius Parish in Cicero and is currently the pastor of St. Rene Goupil Church on the southwest side of Chicago.

Through the efforts of Reverend Surges, St. Rene's has become one of the most active parishes in the community. His work has brought about numerous physical improvements to the church, retirement of the church debt and a strong commitment to the Christian education of our youth in establishing a parish school board.

In addition to his work for the church and the community, Reverend Surges returned to school to obtain a law degree for Loyola University in 1974. He has also undertaken a position with Catholic charities, to assist people in their efforts to obtain Social Security disability benefits.

I join with the residents of the Fifth Congressional District in paying trib-

ute to Rev. Edward Surges for his work in our behalf, and I would like to introduce into today's CONGRESSIONAL RECORD a newspaper article honoring Reverend Surges upon his receipt of the Ray McDonald Community Achievement Award.

[From Midway Sentinel, October 1984]

MCDONALD AWARD TO SURGES

The Midway Sentinel proudly salutes Reverend Edward Surges as October's recipient of the Ray McDonald Community Achievement Award.

Rev. Surges, the present pastor of St. Rene Goupil Church, grew up on the Southwest Side of Chicago. Following his four year tenure at Leo High School he entered the seminary and was ordained a priest in 1954.

After completing his first assignment at St. Catherine's, Rev. Surges left for Rome where he studied and researched Church law for three years. Upon his return to Chicago he worked in the Archdiocese on the Matrimonial Tribunal for 11 years, assisting people who sought a church annulment of their marriage. During this 11 year period he resided at St. Dionysius parish in Cicero where he served as moderator of their teen club. In 1974 he graduated from Loyola University School of Law and was admitted to the bar the same year. His admission to the legal profession was followed by an assignment to St. Rene's parish as associate pastor and culminated in 1980 when he was appointed pastor of the parish.

Under Rev. Surges guidance and leadership St. Rene's has become one of the most active parishes in the community. He recently instituted a debt retirement program which resulted in the liquidation of the church debt. Through his perseverance and hard work many improvements have been realized, including updated lighting and renovation of the landscaping around the church grounds.

Reverend Surges has also developed a deep commitment to the Christian Education of our youth and played an integral role in instituting a parish school board. His involvement at the church extends far beyond the normal duties imposed upon one individual. Along with a number of adults from the congregation he co-ordinates and oversees the operations of the Mothers Club, Altar Rosary Society, Holy Name Society, Athletic Club, and is currently organizing St. Rene's 25th anniversary celebration. His enthusiastic approach and spiritual guidance was instrumental in forming a true family unit at the parish which is exemplified by the number of worthwhile community activities sponsored by the group.

Besides his many other duties and responsibilities, Cardinal Bernadin recently assigned Rev. Surges to work two days a week at Catholic Charities, assisting people in their efforts to obtain Social Security disability benefits.

The Staff of Midway Sentinel expresses its thanks to Rev. Surges and honors him for the unselfish dedication of time and concern he has shown for the community of the 23rd Ward and the Southwest Side. ●

DON'T BE BAMBOOZLED

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. KINDNESS. Mr. Speaker, let's not let them bamboozle us. Sure, there's a lot of talk about belt tightening and bullet biting; but balancing the budget is easy. The following questions illustrate just how easy it is to develop realistic economic assumptions, simplify the tax structure, increase revenues, and limit Federal spending. (You can choose more than one answer for each question.)

(1) Which of the following do not have an impact on the Federal deficit?

- (a) The level of unemployment.
- (b) The level of taxation.
- (c) The level of spending.

(2) Increasing taxes would make the deficit

- (a) Smaller.
- (b) Larger.
- (c) Easier to live with.

(3) The Congress can increase Federal revenues by

(a) Refusing to touch the deduction for charitable contributions.

(b) Refusing to touch the deduction for interest on home mortgages.

(c) Refusing to tax fringe benefits.

(4) Revenues can also be increased by re-pealing

- (a) The cigarette tax.
- (b) Taxes on distilled spirits.
- (c) The gasoline tax.
- (d) The diesel fuel tax.
- (e) The capital gains tax.

(5) There can be no sacred cows when it comes to a spending freeze, but we can't freeze spending for

- (a) Defense.
- (b) Welfare services.
- (c) Veterans benefits.
- (d) Social Security.
- (e) Medicare.

(6) The Federal Government should stop subsidizing the railroads, except for

- (a) Conrail.
- (b) Amtrak.
- (c) All of the above.

(7) Public works projects should not be funded, except in states

- (a) That are round on the end and high in the middle.
- (b) Whose capital is Columbus.

(c) Whose official song is "Beautiful Ohio."

(8) Federal spending on agriculture programs should be reduced, except for

- (a) The dairy price support program.
- (b) Target prices for wheat and feed grains.

(c) The food stamp program.

(d) Farmers Home Administration loan programs.

- (e) Rural Electrification Administration.
- (f) Soil conservation.

(9) Which of the following do not constitute "corporate welfare" and should be spared the budget ax?

- (a) Urban Development Action Grants.
- (b) Industrial Development Bonds.
- (c) Accelerated depreciation.

(d) Synthetic Fuels Corporation.

(e) Export-Import Bank.

(10) Federal funding for education should be reduced, except for

- (a) Head Start.
- (b) Elementary and secondary education.
- (c) Post-secondary education.
- (d) Vocational education.
- (e) Student loans.

(11) Waste, fraud and abuse can be eliminated in every area of Federal spending, except for

- (a) Defense spending.
- (b) Non-defense spending.
- (12) The Office of Management and Budget can forecast a budget surplus by
 - (a) Assuming all Americans will work two jobs, thereby paying higher taxes.
 - (b) Asking each person in the Federal workforce to work one year without pay.
 - (c) Selling Alaska back to the Russians.

If you've answered each of these questions correctly, it may be advisable to ignore most of the sound and fury of the budget cycle that is about to begin. Excessive exposure to the budget process may be hazardous to your health.●

ETHIOPIAN FOOD CRISES PROMPTS RESPONSE IN FALL RIVER, MA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. FRANK. Mr. Speaker, my staff and I have recently been given a chance to participate in a very encouraging effort by a group of citizens in and around Fall River, MA, to show their concern for people in need.

Fall River City Councilor Daryl Gonyon has organized a creative effort to provide volunteer assistance to the desperately hungry people of Ethiopia. Dorothy Reichard and Bill Whitty of my congressional staff have been privileged to work closely with Daryl Gonyon in trying to mobilize resources to provide a means for talented and dedicated American citizens to go to Ethiopia to help in this time of crisis. I have been extremely impressed with the diligence and energy and compassion that Councilor Gonyon has shown, and I have been equally impressed with the number of talented citizens who have responded to his call for assistance.

I hope that this kind of effort can be duplicated elsewhere, and I would like to share with the Members a description of this activity which was prepared by those who are participating in it.

The material follows:

IN ETHIOPIAN CRISIS: AID OFFERED

A major grass roots effort to recruit Fall Riverites and transport them to drought-stricken Ethiopia to render medical assistance and distribute foodstuffs is being conducted by Fall River City Councilor Daryl Gonyon. Volunteers, now numbering seventy-five, come from five states: Connecticut, Massachusetts, Maine, New Hampshire and

Rhode Island. These volunteers have many different skills to offer.

Councilor Gonyon is seeking donations and has promised strict accountability for any funds received, using funds for transportation of volunteers to work in famine relief only not one penny of any funds received from this appeal will be used for administrative or overhead costs of any kind. "If I had \$50,000 I could send a team of 25 volunteers for one full month!", says Gonyon. One hundred fifty thousand dollars would have to be raised to send all 75 volunteers.

Travel assistance and co-ordination has been offered free from Fall River Travel Bureau, Inc., 154 No. Main St., Fall River, MA.

Volunteers are helping out in many ways. One such volunteer is Sr. Rosemarie Higgins, F.M.M., a Catholic nun residing in No. Province, R.I. with the Franciscan Missionaries of Mary, a congregation of women established exclusively for world-wide mission. Her help has been invaluable. She has co-ordinated information amongst most New England agencies and groups concerning the so-called "Fall River effort", and has furnished leads to possible sponsors along with valuable printed materials concerning Ethiopia and other African nations.

Rev. Lee Ferry, an Episcopalian chaplain at Southeastern Massachusetts University, has been promoting the Fall River effort on that campus, and has been directly responsible for the recruitment of ten volunteers.

Claire Boulay, a resident of Assonet, MA is the primary administrative helper for the Fall River effort. She has volunteered many hours on the phone to other volunteers. Her most recent effort was to gather volunteers at Councilor Gonyon's home in Fall River to meet one another and U.S. Representative Barney Frank. Kate Boylan, a staff writer for the Sunday Standard-Times, New Bedford, MA wrote substantially the following: When City Councilor Daryl Gonyon met his guests at the door, he asked them to fill out a "hello, my name is" tag and write on it how they can help Ethiopia's starving people. Medical student, registered nurse, carpenter and helper were among the skills they listed. One woman simply wrote, "Save lives." More than 40 people crowded into Gonyon's home to share their concerns. Some spoke of taking a semester's break from medical school. Bob Souza of Tiverton, RI, wondered aloud how people would react to working with dying people. Could they handle it or would they want to turn around and go home? Dan O'Leary from Connecticut told other volunteers how to get involved in fund-raising. A florist, O'Leary has raised thousands of dollars, mostly through students' sales of carnations. Asked about what one could do in Ethiopia, O'Leary said: "I think the needs are very fundamental, very basic. I think we can use our hands for just about anything. When people are dying and they're too weak to feed themselves, it seems like there's quite a bit you could do. At the very least," O'Leary said, "I could wipe the flies off some dying little kid's eyes."

Typical of letters Councilor Gonyon has received from volunteers is one from Janice Clifford, RN from Coventry RI: "I would like to be added to the list of volunteers for Ethiopia. I am a 42 year old mother of three grown children. When I see the heart breaking pictures of suffering people I feel most fortunate my children and I are able to live comfortably without sickness and hunger. I am a registered nurse and director of nurs-

ing for a 300 bed health care facility. It would be possible for me to volunteer two weeks of my time. This letter is written to you with the encouragement of my children. It is our way of repaying God for all our blessings."

James N. Dunbar, Staff Reporter for the Fall River Herald News, Fall River, MA has written two articles concerning the Fall River effort. Councilor Gonyon gives Dunbar the credit for getting the Fall River effort off the ground. "I was discussing my recruitment idea with Mr. Dunbar. The next day this was front page news. The first volunteer, Steve Scanlon from Tiverton, R.I., called me when the story in the Herald News had barely hit the street. My home was deluged with calls from people who wanted to help. My wife Lauretta, by far my strongest helper in this relief effort, has been a very busy phone receptionist, co-ordinator and host to the volunteers."

Linda Borg, Staff Writer for the Providence Journal, Massachusetts Edition, Fall River, MA has written an article with comments substantially as follows: "When Ken Ford's newborn son recovered from a serious illness seven years ago, he promised to do whatever he could to help other suffering children. After reading City Councilor Gonyon's plea for volunteers to go to Ethiopia, he knew what he had to do. 'It's the children,' he said, when asked why he wanted to volunteer. 'You see their faces. You see the look of anguish on a mother's face. If I can leave there and see a couple of smiling faces, that's fine. I'll wash dishes or do whatever's needed.' Paul Rodrigues, a data processing supervisor from Fall River said, 'I thought about sending money, but you wonder how much filters down to the people? By going myself, I know where the help is going. It's one man doing whatever he can to help. What's one year out of a possible 80?' For Ron Travis, a former truck driver in Vietnam, it's a matter of 'pay-back.' 'I've always had plenty to eat and a roof over my head,' said Travis, 38, of Fall River. 'That's the reason, if anything.' For sister Maria Ceballos, it's a vocation. A native of Colombia, she has never forgotten the lessons she learned in childhood when hunger was an everyday reality in the sprawling tent cities that encircled the city she lived in.

How did all this begin? 'I heard people on talk shows complaining, 'Where is God in a crisis like this?' Gonyon said. 'I suspect God might be wondering, 'Where is man?' Gonyon decided that manpower—not money and food—was the most important aspect of the international relief effort. Gonyon contacted Congressman Barney Frank's office in Newton which agreed to act as a go-between.

Kate Boylan, in her most recent article concerning the Fall River effort carried in the Sunday Standard-Times, New Bedford, MA wrote substantially as follows: "Louis Bouchard figures he can pay off a debt. The Navy gave him an education so he could make a life for himself and his family. A dental technician and former Navy corpsman, Bouchard volunteered to go to Ethiopia to help the famine-stricken population. Bouchard said, 'There was famine in the days of the Bible. But there was no way of helping the people then as we can today. I feel that now, today, with the means of transportation we have, people should get together and do what they can to help these poor unfortunate people.' "Dorothy Reichard in Congressman Frank's Newton office has been a tremendous help to me

and my effort to get volunteers to Ethiopia," says Councilor Gonyon. Dorothy has been in contact with the U.S. State Department for co-ordination purposes. She has also written letters for Congressman Frank which have gone to international agencies and airlines seeking sponsorship.

"Catholic Relief Services and Save the Children seem to be our best hopes for sponsorship," says Gonyon. "After having talked with almost all international agencies involved with relief for African nations, I have learned that the Fall River effort is the largest such effort of its kind in the United States. I am praying and working now for benefactors to sponsor transportation for the volunteers. God asked the question that we are responding to, the question 'Where is man in this crisis? We provide the effort, and leave the results up to Him.'"

COMMON SECURITY RESOLUTION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

Mr. BROWN of California. Mr. Speaker, this summer will mark the 40th anniversary of the atomic bombing of Hiroshima and Nagasaki. About 65 percent of the present American population was not even born in 1945. Throughout their lives they have lived under the sway of not merely death, but human extinction. Gradually, and with a growing insidious terror until the only sane option for many is to ignore its reality, this postwar generation has watched two superpowers compete to make the most accurate, most deadly of weapons. If recent reports are accurate, our youth expect a nuclear holocaust before the end of their natural lives, and this expectation engenders hopelessness, despair, and pessimism.

A few years ago, there was a resurgence of interest in halting nuclear proliferation; an awareness that Americans, as individuals, have the power to influence the politicians who make the policy decisions to proceed with the continued acquisition of nuclear weapons. This movement resulted in the passage by the House of a nuclear freeze resolution, and the education of millions of Americans, including politicians.

Contributing to the nuclear debate was a series of articles by Jonathan Schell entitled "The Fate of the Earth." American consciences, indeed world consciences, were moved to action by his compelling portrayal of the horrors of nuclear annihilation and its consequences. But most reactions, regrettably, were rhetorical and failed to understand Schell's ultimate conclusion and challenge. To quote:

It is often said that nuclear arms have made war obsolete, but this is a misunderstanding. Obsolescence occurs when a means to some end is superseded by a new and presumably better means. But war has

not been superseded by some better means to its end, which is to serve as the final arbitrator of disputes among sovereign states. On the contrary, war has gone out of existence without leaving behind any means at all—whether superior or inferior—to that end. There is no need to "abolish war" among the nuclear powers; it is already gone. The choices don't include war any longer. They consist now of peace, on the one hand, and annihilation, on the other. And annihilation—or "assured destruction"—is as far from being war as peace is and the sooner we recognize this, the sooner we will be able to save our species from self-extinction.

An immediate political and social revolution, he concluded, is necessary in order to save mankind from itself. Peace is not a technical or military problem; nuclear capability is now embedded in mankind's history. We can no more turn the clock back on this knowledge, than we can the knowledge of the lever or wheel. Therefore, we must go beyond the concept of war and its inevitable consequences and toward the concept of peace for all nations based on a collective commitment to solving the problems which create wars. We must invent the political means by which the world can peacefully settle the issues that throughout history it has settled by war.

In order to do this, we must address our common interests, our common security as a global community. Today I will be reintroducing the common security resolution. Its objective is to find the political means for the establishment of peace. Based on the 1961 joint statement of agreed principles for disarmament negotiations, also known as the McCloy-Zorin agreement, which was approved unanimously by the United Nations, this resolution calls for a multilateral, comprehensive approach to nuclear and conventional disarmament. More importantly, it would require verification of disarmament, promote institutions dedicated to peaceful resolutions of disputes, and require the peaceful development of space.

I incorporated into this generation-old proposal concepts from a more recent May 1982 report by the Independent Commission on Disarmament and Security Issues, entitled "Common Security—A Blueprint for Survival." This report looks beyond superpower confrontations to the need to hold multilateral negotiations on nuclear arms reductions, the need to limit nonnuclear weapons of mass destruction, and the need to be concerned about the international build-up of conventional weapons. This report proposes concrete, constructive remedies, and I recommend it. Significant contributions—including the title of my resolution—made by the Commission should be a starting point in the process of achieving true international security and genuine disarmament. The Chairman of the Commis-

sion, Olaf Palme, former Prime Minister of Sweden, deserves much credit.

Even without the advent of high technology weapons of mass destruction, the great philosopher, as well as politician and inventor, Thomas Jefferson, realized the importance of our political development. "Laws and institutions," he said, "must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made * * * institutions must advance also to keep pace with the times." As each day passes and we forgo the opportunity to reduce tensions, we increase the probability that the annihilation of mankind will not come from a calculated plan of attack, but rather through miscalculation, miscommunication, or technological error.

The common security resolution is but one step toward our objective. Peace—true, lasting peace—is a treacherous endeavor. We work hard to continue the struggle with very little evidence of success. Today's introduction is not the world's salvation, but it provides the political and social avenue for each individual, acting according to their conscience, to take the responsibility to change their lives, their nation, and their world. As the famed author, Norman Cousins, has proclaimed, "Nothing is more powerful than an individual acting out of his conscience, thus helping to bring the collective conscience to life."

I welcome the cosponsorship of my colleagues on this resolution. Let us not wait for the political and military tensions to mount beyond our grasp. Let us begin to develop the new social technologies we will need for not only our children's very survival—but for the survival of their hope, their optimism, their idealism. With these, anything is possible—including peace.

H. CON. RES. 36

Whereas the United States was founded upon the principle that all people are created equal and are endowed by their Creator with the inalienable right to life, liberty, and the pursuit of happiness;

Whereas these inalienable rights are being jeopardized today by the unprecedented destructive power of modern weapons and the unchecked growth of national armaments;

Whereas the Secretary General of the United Nations in his 1982 report called urgently for rededication to the charter principle of collective action for peace and security;

Whereas President Reagan in his March 1983 address to the Los Angeles World Affairs Council noted, "that nations should turn their best energies to moving away from the nuclear nightmare";

Whereas the House of Representatives has passed H.J. Res. 13 (Ninety-eighth Congress), calling for the pursuit of an immediate, mutual, and verifiable freeze as an objective to the strategic arms reduction talks (START);

Whereas H.J. Res. 13 referred to the fact that the United States and the Soviet Union

have previously signed a "Joint Statement of Agreed Principles for Disarmament Negotiations", known as the McCloy-Zorin agreement, which the General Assembly of the United Nations endorsed unanimously on September 20, 1961:

Whereas the United States has, as its ultimate goal, a world which is free from the scourge of war and the dangers and burdens of armaments, a world in which the use of force has been subordinated to the rule of law, and a world in which international adjustments to changing circumstances are achieved peacefully;

Whereas the fears and suspicions of, and misunderstandings among, nations make progress toward this goal difficult at the very time the increasing dangers and burdens of armaments make progress imperative; and

Whereas a decent respect for the opinion of humankind makes it incumbent on this great free Nation to set forth its vision of the world at peace and declare its willingness to move with all deliberate speed in concert with others to negotiate the agreements, conditions, and institutions for world peace and the rule of law: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should be encouraged in his efforts to achieve deep cuts in the amounts of nuclear weapons held by each nation and to establish a peace which will endure.

SEC. 2. The Congress would welcome an international agreement which would provide for the common security of all nations through (A) the staged, proportional disarmament of all nations until nonthreatening force levels are reached under effective international inspection and control, and (B) concurrent agreements providing methods and instrumentalities for the peaceful settlement of international disputes, for effective compliance during the staged disarmament process, and for effective enforcement as nonthreatening force levels are approached, in accordance with the following principles of the McCloy-Zorin agreement:

(1) The international agreement should specify the sequence for disarming all nations, by stages, and the time limits for each stage.

(2) The international agreement, with the understanding of all parties that the nature and extent of control will depend on the verification required for each stage, should provide such strict and effective international control at all stages that all parties could be assured that all other parties are complying with the agreement.

(3) An international security and disarmament authority should be established with its own voting procedures within the framework of the United Nations, to implement control over the inspection of disarmament.

(4) The international security and disarmament authority should have its own inspectors who should have unrestricted access without veto to all necessary places for verification at each stage of the disarmament process and its own international peacekeeping surveillance system, using the best available satellite surveillance technology.

(5) The disarmament process should proceed in such a manner that at no point could any nation or group of nations gain military advantage, and equal security is insured for all.

(6) There should be agreement among all parties before each subsequent stage in the

disarmament process is begun that the preceding stage has been implemented and verified in a satisfactory manner and that any additional verification arrangements required for the next stage are ready.

(7) Progress in disarmament should be accompanied by measures to create new institutions, and to strengthen existing ones, for maintaining the peace and resolving all international disputes by peaceful means.

(8) The nations participating in the negotiations for an international agreement should strive to achieve and implement the widest possible agreement at the earliest possible date and should continue their efforts without interruption until agreement upon the total program has been achieved.

(9) Nuclear-free zones and existing treaties and agreements should be preserved and expanded as part of the negotiating process and efforts on other arms control and disarmament measures should continue in a manner designed to facilitate negotiations on the international agreement.

SEC. 3. The Congress, therefore, calls upon the President to initiate renewed serious consideration of the "Joint Statement of Agreed Principles for Disarmament Negotiations" by the appropriate agencies of the Government and to initiate joint reconsideration of the "Joint Statement of Agreed Principles for Disarmament Negotiations" with the Soviet Union for the purpose of assessing the relevance and validity of these principles today as the basis for an alternative to war. The Congress further encourages private organizations, foundations, and private citizens to assess the relevance and validity of these principles today and to determine a practical approach to achieve these goals.

SEC. 4. The President is requested to transmit copies of this resolution to the heads of government of all nations of the world and to invite their participation in establishing the common security of all nations and peace in the world.

SEC. 5. (a) The President is requested to report to the Congress by January 15, 1986 on the steps he has taken respecting this resolution and the responses received.

(b) The President is requested to submit a final report to the Congress by June 15, 1986 on the United States Government's reassessment of the "Joint Statement of Agreed Principles for Disarmament Negotiations" and the comments received from other governments.●

HOMER L. KOLIBA, SR.—CITIZEN OF THE YEAR

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. FROST. Mr. Speaker, on January 16, former State representative Homer L. Koliba, Sr. of Columbus, TX, was honored as Citizen of the Year in the county seat of Colorado County, TX.

The membership of the Columbus Chamber of Commerce named Homer Koliba as their Citizen of the Year for his continuing lifelong effort to improve life in Columbus and the State of Texas.

Homer L. Koliba, Sr., at 81 years of age, has resided in Columbus since

1923. He had formerly lived in Yoakum.

He has served as a peace officer for many years, and he was successfully engaged in the oil and gas business prior to trying his hand at politics.

The Colorado County Citizen stated, on January 10, 1985:

As he recalls it, he lost a close race by "about 16 votes" and figured on ending his political career right there, but "when I went up to congratulate the man who beat me, he wouldn't even shake my hand. He told me to get away from him. It made me so mad I announced right there that I would run again in 1954 and I did. I beat him by about 750 votes."

Mrs. Koliba, the former Bernice Townsend, was a big part in Homer's success. She wore out three pairs of shoes in their effort.

Homer Koliba served five terms in the Texas House of Representatives, where he compiled a proud record, including a bill to provide teachers with 3-year contracts rather than year-to-year contracts.

When he left the legislature in 1963, he returned to Columbus where he and Mrs. Koliba opened the Koliba Home Museum, which is opened to the general public. Southern Living magazine will be showing the Koliba Home Museum in a future edition.

In 1979, Koliba was appointed a State parole officer by the Governor of Texas, and his record in that position stands envied by other parole officers of the State—none of the parolees he has supervised has ever had his parole revoked.

Again quoting from the Colorado County Citizen:

He (Koliba) said he tries to help them steer their lives in a productive way and proudly showed a Christmas letter he received from one former parolee who now is a minister in this area. The letter praised Mr. Koliba for his interest and gave him credit for turning the young man's life around.

No doubt, Mr. Speaker, this type of praise will continue for the deeds of Homer L. Koliba, Sr., for many years to come.

The Columbus Chamber of Commerce has chosen well.●

A BILL TO HELP THE UNITED STATES COUNTER STATE-SUPPORTED TERRORISM

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. STARK. Mr. Speaker, today I am introducing a bill that is intended to correct a grave deficiency in our ability to combat state-supported terrorism; that deficiency is the enormous difficulty the President experiences in attempting to prohibit imports from a nation that aids or abets

act of terrorism. This bill gives the President clear legal authority to prohibit importation of products from any nation that provides financial or logistical support to, assists in the recruitment and training of, or provides de facto sanctuary from prosecution, to any group that commits a terrorist act against a U.S. citizen.

For example, this measure could be applied to Iran if its government takes no significant action against the terrorists who murdered two American officials aboard a hijacked Kuwaiti airliner in Teheran in December 1984. There is substantial evidence that Iran acted in collusion with the hijackers in this incident, by providing selective media access and weapons and by staging a sham rescue of the hostages. Available evidence also suggests that without Iranian assistance, the Beirut truck bombings, which cost over 300 American lives, would not have occurred. Despite its sponsorship of anti-American terrorism, there has been no limitation on Iranian exports to this country.

Presently, it is far easier for the President to prohibit or limit exports to a particular nation, and thus to hurt domestic industry, than it is for him to control the level of imports from a foreign country. In these years of weakened American commercial competitiveness, it is both ironic and unfortunate that the most energetic use of the economic sanctions available to the President that are intended to encourage change in another nation's behavior will often hurt both domestic industries and our overall international trade posture, without seriously affecting the economy of the targeted nation.

I feel this bill strengthens our commitment to combat international terrorism in several ways. It will make the threat of economic sanctions by the United States, the world's largest importer, far more serious; for our policymakers in times of crisis, it will create more options between inaction and the last resort of force.●

CONGRESSIONAL COMMEMORATIVE SALUTE TO THE UKRAINIAN PEOPLE OF THE 67TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE DAY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ROE. Mr. Speaker, I take great honor in rising today to salute the brave Ukrainian people on the occasion of the 67th anniversary of the Ukrainian Independence Day.

Mr. Speaker, January 22, 1918, was a true day of glory for the Ukrainians when their free democratic Parlia-

ment, the Rada, declared the nation's independence. But the Communist forces that had taken over Imperialist Russia during the Revolution of 1917 saw the Ukrainian National Republic as a serious threat to itself and its heinous goals.

Finally in 1922, the Russian Communists forcibly took control of the Ukraine and began a brutal repressive campaign that continues today. It is no underestimation that millions of Ukrainians have been systematically slaughtered by a series of Russian Communist regimes over the past 59 years. The Russian slavemasters have forced the proud Ukrainian people to leave their homeland and serve on factories and farms throughout the Soviet Union.

But despite all the turmoil and tragedy, the Ukrainians living in the Soviet Union have somehow managed to maintain both their dignity and their ethnic identity. There is no question that while Russian control over the Ukraine is brutal and complete, the spirit of the Ukrainian people has never been diminished.

The Soviet ruling elite should take note that while it maintains political control over its nation, it will never be able to obliterate the strong national traditions held by millions of people living in the Ukraine, the Baltic States, Byelorussia and the Transcaucasus.

Mr. Speaker, on behalf of the people of the Eighth Congressional District of New Jersey and the people of New Jersey, I join in saluting the heroic Ukrainian people on the anniversary of this important day in their lives. May it serve as a hope for all Ukrainians to maintain in their hearts, that with God's help, their self-destiny as a nation may once again become a reality.●

THE 67TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE DAY

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. DWYER of New Jersey. Mr. Speaker, I wish to join my colleagues in commemorating the 67th anniversary of Ukrainian Day.

As the Ukrainian people commemorate the anniversary of their declaration of independence, they continue to face serious threats to their language, culture, and their very existence. Indeed, we know that those who speak out against oppression will receive long terms of imprisonment for espousing the principles of democracy and freedom.

I wish to take this opportunity to reaffirm my commitment with those in

the Ukraine who suffer from the oppression of totalitarianism. Let us remember their brave struggle for freedom and national identity after decades of Soviet occupation. The daily indignities to which the Ukrainians are subjected to should serve as a constant reminder to us in the Free World.

These statements are now an essential ingredient in the worldwide effort to aid the Ukrainian people. So today, we the people of the United States, in conjunction with other nations of the world rededicate ourselves to the cause of human rights, democratic self-rule and freedom. The desire for liberty and independence for the brave people of the Ukraine must be kept alive. As representatives in the Free World, we shall continue to share with their aspirations for freedom and independence.●

A PROUD LITTLE TOWN

HON. DOUGLAS APPELGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. APPELGATE. Mr. Speaker, the Ohio Valley and, in particular, eastern Ohio, have always taken the avocation of sports very seriously. This could never be better demonstrated than by relating to you and the Members of the House of Representatives the story of a small community in my congressional district.

The village of Lansing, with a population of 600 people, is a very proud little town and with every reason to be so. It was here where four of this country's outstanding athletes were born and raised.

John Havlicek enjoyed a brilliant 16-year career with the Boston Celtics of the National Basketball Association which earned him selection to the National Basketball Hall of Fame. He is also a member of the Ohio State University Sports Hall of Fame and the Upper Ohio Valley Dapper Dan Hall of Fame. John is now a businessman who resides in the Boston area.

Phil Niekro has enjoyed 21 seasons in the National and American Baseball Leagues. After 20 years of pitching with the Atlanta and formerly Milwaukee Braves, Phil was traded to the New York Yankees where he will again play this year for the second year. He enters this campaign with 284 career victories.

Joe Niekro, who is Phil's brother, will be playing his 19th season this year as a member of the Houston Astros. He enters 1985 with 193 career victories including earlier stints with the Chicago Cubs, San Diego Padres, Detroit Tigers, and Atlanta Braves. Before turning pro, Joe was an NAIA All-American pitcher for a national

championship West Liberty State College team.

The Niekro brothers combined career victories total 477 and stand as the second highest ever for brothers in the major leagues.

And fourth from this community is Bill Jobko, a seventh round draft pick of the Los Angeles Rams of the National Football League. After four seasons with the Rams, Bill was traded to the Minnesota Vikings and played there for another 4 years before being traded to the Atlanta Falcons in the teams initial year, 1966; 1 year later, Bill joined the Falcons' scouting staff and has remained with the club ever since, including his current position as pro player personnel director.

With these stellar athletes all being from this community, it is easy to see why there is the pride that exists in Lansing. The town is to be congratulated for its contribution to the world of sports, and these fine men for the thrills, excitement, and entertainment they have provided over the years.●

FRED W. MANNING

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. KANJORSKI. Mr. Speaker, recently a distinguished gentleman, and friend of mine from Carbon County, PA, was honored by his neighbors.

The Mauch Chunk Historical Society in the very historic town of Jim Thorpe named Fred W. Manning as their 1984 Citizen of the Year.

His selection for this award reminds us all how America depends on people like him—who through their civic involvement and community commitment—keep our country strong. Fred Manning's values, his selflessness and his devotion as a husband, father and a grandfather are vital to our Nation.

Day in and day out, people like Fred Manning make contributions to the fabric of this Nation which are not recognized nationally, but nonetheless—their role is important to our national betterment.

I'm proud to represent Jim Thorpe, the Mauch Chunk Historical Society, and its members. I'm proud Fred Manning and his family are constituents of mine. And I'm especially pleased to be able to share with my colleagues the inscription on Mr. Manning's plaque, and his remarks upon accepting the award:

CITIZEN OF THE YEAR AWARD—1984: FRED W. MANNING

In Recognition for Outstanding Service to Jim Thorpe, PA:

Sterling Citizen, Humanitarian, Advocate of Historical Restoration, Responsible Industrialist and Beloved for His Fine Qualities by Family and Friends;

By the Mauch Chunk Historical Society, December 29, 1984.

REMARKS BY FRED W. MANNING

In history it is said that we study and look to the past so that we may preserve the good of the past and be inspired to meet the changes and challenges of the future.

I am sure that is the objective of the Mauch Chunk Historical Society: To preserve the history of richness, and of the beauty, and in every sense of the word—the uniqueness of Jim Thorpe.

Your society and other agencies under the direction of our progressive county commissioners may well be considered a catalyst of the changes that are taking place in our county to make many Pennsylvanians aware of us.

The natural beauty of the area and of the historically-renowned structures of a bygone era are again being recognized. This is good for our economy because it promotes tourism. But it is also good for history. Efforts such as yours show that preservation need not be only an academic or aesthetic endeavor.

Our county's historic sites are being revitalized and brought to new life for the enjoyment and edification of people from far and wide. One of those sites which my family is pleased to have renewed is the Hooven Building.

As owners of the Hooven Building, we are happy to be part of that effort that takes historic sites, renovates them and preserves them for future generations of Pennsylvanians—and indeed, Americans. I hope by your honoring me tonight that others will hear and see the value of such efforts and in years to come many other individuals will be honored for having taken the same type of action.●

A CONGRESSIONAL SALUTE TO THE SACRAMENTO SHERIFF'S POSSE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MATSUI. Mr. Speaker, I rise today to honor a group of fine Americans, the Sacramento Sheriff's Posse. I take great pleasure in commending this outstanding group of lawmen for their selection to participate in the 50th Presidential Inauguration.

The Sacramento Sheriff's Posse, under the leadership of Sacramento Sheriff Robbie Waters, represents the culmination of dedication to the ideals of horsemanship and law enforcement. The Posse exemplifies the spirit of California and has represented Sacramento County throughout the Nation with pride and dignity. The Third Congressional District of California has been duly represented by this remarkable organization.

Mr. Speaker, it is not surprising that the Sacramento Sheriff's Posse has twice been selected to honor the President of the United States on the occasion of his inauguration. In the over 30 years that the Posse has been organized as a drill team, they have been awarded over 20 California State drill team championships. This consistently demonstrated level of excellence, cou-

pled with other numerous awards and honors that have been bestowed upon the posse, is indeed commendable. I ask my colleagues to join me in saluting this talented organization.●

TRIBUTE TO PAUL GONZALEZ

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. TORRES. Mr. Speaker, I would like to take the opportunity to commend the accomplishments of one of our dedicated athletes in the east Los Angeles community, Paul Gonzalez. Paul Gonzalez was awarded a gold medal in the 1984 summer Olympics held in Los Angeles.

The 23d summer Olympiad brought excitement and splendor to many amateur athletes participating in this sport spectacular. Paul received his gold medal in the lightweight boxing competition.

Paul Gonzalez story is unique and deserves mention. Paul came out of the barrio of east Los Angeles and his prior involvement in street gangs could have steered him toward a troublesome future. However, through the support and encouragement of Al Stankiewicz, a Los Angeles police officer, Paul's energies were geared toward the boxing ring. Mr. Stankiewicz has also been responsible for coaching Paul in the boxing arena for the past 10 years. Paul has earned the privilege of serving as an exemplary model for many young Mexican Americans in the barrios of east Los Angeles.

Mr. Speaker, this story serves as a vision of hope which should be viewed with optimism. At a time when many of our teenagers are victims of violence and involved in criminal activity in our communities, it is encouraging to see young men like Paul Gonzalez shattering the negative influences of their environment and fulfilling a dream. I know that Paul is proud of his Olympic accomplishment. He should also be proud that he can help others to fulfill their dreams and aspirations. I would like to thank him for his perseverance and stamina. Paul Gonzalez is truly a leader.●

ST. CHARLES BORROMEO PARISH CELEBRATES 50TH ANNIVERSARY

HON. STAN LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. LUNDINE. Mr. Speaker, today I should like to offer a few words of

praise for the St. Charles Borromeo Parish of Elmira Heights, NY.

This is a special year for the parish. This January St. Charles Borromeo is celebrating its 50th year as an independent parish. The month of May will mark 25 years that it has been located at its present site. It is, therefore, fitting that we take a few moments to recognize the parish's record of service to the people of Elmira Heights.

St. Charles Borromeo, archbishop of Milan, helped lead the efforts to reform the Catholic Church from within during the 16th century. The archbishop not only set an example by his conduct, but also worked to improve the religious education of children. He founded the Confraternity of Christian Doctrine, which established the first Sunday schools and educated over 40,000 youths.

The St. Charles Borromeo Parish has followed in this august tradition. It provides religious instruction to the young, at both the grammar and high school levels. Over the past 50 years, the parish has set an example by its outstanding conduct, in providing spiritual leadership and guidance to its parishioners. It has also sponsored innumerable activities, such as outings and dinners, and offered a variety of services, including the distribution of Christmas food baskets, that have nurtured and aided the community.

I am certain that my colleagues join with me today in congratulating the St. Charles Borromeo Parish on its 50th anniversary and wishing it the best for the years to come.●

ARLINGTON COUNTY POLICE DEPARTMENT AWARDED ACCREDITATION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. WOLF. Mr. Speaker, I am extremely pleased to share with my colleagues news of a distinct honor recently received by the Arlington County Police Department located in the 10th Congressional District of Virginia which I represent.

On November 17, 1984, the Arlington County Police Department became the first law enforcement agency in the Commonwealth of Virginia and the second agency—the first nonpilot agency—in the Nation to be granted nationwide accreditation by the Commission on Accreditation for Law Enforcement Agencies. The Commission was founded in 1979 to promote excellence, efficiency, and professionalism throughout our Nation's law enforcement agencies, approving law enforcement standards and administering a voluntary accreditation program.

Through accreditation, law enforcement agencies at the State, county, municipal, or local level gain objective testimony that they meet professional criteria. The accreditation process for law enforcement agencies was completed in 1983 with the publication of 944 standards which deal with almost every aspect of law enforcement. In accomplishing the objective of accreditation, the Arlington County Police Department complied with all of the mandatory and over 90 percent of the nonmandatory standards.

Chief of Police William K. Stover is to be commended for his excellent leadership of the men and women of the Arlington County Police Department. All the members of the department and the citizens of Arlington County can take great pride in the achievement of accreditation status for the Arlington Police Department and the recognition of the department as one of the finest law enforcement agencies in the United States.●

RIATA RANCH COWBOY-GIRLS

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. PASHAYAN. Mr. Speaker, in March Equitana '85, an event billed as the "World's Fair of Horses," will be held in Essen, West Germany. One of the featured performances at Equitana once again will be five young women from Exeter, CA, known as the Riata Ranch Cowboy-girls.

The Riata Ranch Cowboy-girls of 1985 are the result of some 28 years of patient training and guidance by Tom Maier of Exeter during which over 2,100 young women have learned the fine points of the difficult and sometimes painful sport of trick riding. The riders begin with the basics, which include the unglamorous tasks of cleaning stables, horses, and tack, feeding their mounts, and all the other work involved with their four-legged performing partners.

During the 28 years he has served as coach, teacher, and on-the-road father to the riders, Tom Maier has also worked to overcome personal tragedies, including auto and riding accident injuries, and a bout with cancer.

Not all the 59 girls who signed up to become a Riata Ranch rider this season will become members of one of the three performing teams. Many students drop out during the years of arduous training required to qualify for team membership.

But acceptance as a member of the Riata Ranch red, white, or blue team can mean travel and the opportunity to perform at a variety of events. The blue team, composed of girls 13 years of age and under and headed by a 21-

year-old Lillis Lancaster, performs at some 18 California rodeos each year. Twenty-one-year-old Jennifer Welch heads up the white team of high-school-age riders which performs at special events in the United States, including the Olympics.

The Riata Ranch varsity is the red team, headed by Maier. Jana and Kathy Copley, Julie Negard, and blue and white team leaders Lancaster and Welch make up the red team, which has appeared in Austria, Belgium, Canada, the United Kingdom, France, Germany, Holland, Italy, Japan, Switzerland, and all over the United States. Riata Ranch riders have also performed on many network and local television shows.

Mr. Speaker, the young women who are the Riata Ranch riders and their founder and mentor, Tom Maier, deserve our thanks and appreciation for their continuing efforts to serve as unofficial ambassadors-on-horseback as they travel around the world providing entertainment and an outstanding demonstration of American equestrian skills. Citizen's efforts such as theirs offer an excellent example of unofficial but personal diplomacy that can improve understanding between the peoples of this troubled world.●

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO MEDICARE AND MEDICAID BENEFIT CUTS FOR ELDERLY AND POOR

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ROYBAL. Mr. Speaker, I rise today to introduce a House concurrent resolution which states that Congress is opposed to any Medicare and Medicaid changes which reduce eligibility and benefits or increase costs to our Nation's most vulnerable citizens—the elderly and poor.

Given that the elderly are already using a large portion of their income for health care, it is totally unreasonable to make that burden heavier. The administration's proposals for premium increases and benefit cuts will place an even greater burden on the elderly. If these proposals were enacted, the elderly would have to pay an average of about \$2,300 for health care in 1988. This amounts to 18.3 percent of their limited incomes and is substantially higher than the 15 percent they were paying before Medicare and Medicaid began. Cutting Medicare payments to hospitals and doctors will also cause major problems if the cuts are too deep or if the elderly are not adequately protected from cost shifting and reductions in quality. I oppose

any Medicare cut which increases the elderly's costs or threatens their access to good quality care.

The Medicaid Program has also been targeted for major cuts by the administration. Tragically, the poor and elderly already suffer from Medicaid's limited eligibility and benefits. This administration again fails to address the problems faced by our most vulnerable citizens and intends to make these problems worse. Coupled with the cuts proposed for Medicare, the Medicaid cuts will be especially harmful to the poorest elderly. Faced with the proposed Federal cuts of averaging \$346 per elderly recipient in 1988, the States will undoubtedly cut back on Medicaid. This is an injustice I cannot accept. No further cuts should be made to Medicaid's already restricted eligibility and benefits. Instead, Congress and the States must take steps to deal positively with gaps in Medicaid eligibility and coverage.

Rather than creating more problems for the elderly and poor, it is high time that the administration focus its efforts on helping to make an intolerable situation tolerable. This concurrent resolution provides the House, and hopefully the Senate, an opportunity to express its opposition to any cuts which harm this Nation's elderly and poor citizens.●

THE CIVIL RIGHTS RESTORATION ACT OF 1985

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mrs. SCHNEIDER. Mr. Speaker, last June the House of Representatives reaffirmed its commitment to civil rights by overwhelmingly approving H.R. 5490, the Civil Rights Act of 1984. That vote expressed our intention to overturn the Supreme Court's decision in *Grove City College versus Bell*, and to ensure a return to comprehensive coverage of antidiscrimination statutes protecting women, minorities, the elderly and the disabled. Unfortunately, as we all know, that bill ran into road blocks in the other body and died at the close of the 98th Congress.

Today, the fight to overrule the *Grove City* decision begins in this Congress. I am pleased to join my distinguished colleagues on both sides of the aisle in introducing the Civil Rights Restoration Act of 1985. The bill we introduce today will clarify once and for all the coverage of title IX of the 1972 education amendments, title VI of the 1964 Civil Rights Act, section 504 of the Rehabilitation Act, and the Age Discrimination Act. By defining the meaning of the term, "program or activity," in each of these four statutes, we remove the ambiguity that

misled the Court in *Grove City*, and make it clear that anywhere taxpayer money goes, taxpayer supported prohibitions on discrimination follow. This bill makes it clear that Federal money cannot be used to support discrimination on the basis of gender, age, race, national origin, or physical handicap.

The need for the Civil Rights Restoration Act of 1985 is clear, and the time for action is now. I urge my colleagues to join me in supporting this critical legislation.●

WORLD FREEDOM DAY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. CRANE. Mr. Speaker, as the hostilities in Korea came to a close at the beginning of 1954, a very significant event took place. More than 22,000 of the North Korean and Chinese Communist troops that were being held in allied prison camps refused to be repatriated. In spite of intimidation and threats from other Communists, they marched out of the camps to freedom. This occurrence in a very real sense epitomizes what has been going on since the advent of communism as millions have fled Communist oppression for the freedom of democratic nations.

Other individuals have remained in Communist countries to wage the battle for freedom there. But in either case the struggle against Communist oppression that has been diligently and bravely carried on is indeed worthy of recognition and support. The example set by the many fearless martyrs who have given their lives in this struggle is an inspiration to all people everywhere, but especially to those who live beneath the yoke of communism.

I am reminded of the words of the great patriot of this country, Thomas Jefferson. He must have understood very well the price of freedom, for he stated: "The tree of liberty must be refreshed from time to time with the blood of patriots * * *." Certainly those who have given their lives in the struggle against communism know all too well the meaning of Mr. Jefferson's words. I have no doubt that they considered it not only a necessity but an honor to give their lives for freedom.

Mr. Jefferson also made another statement that bears repeating as we honor those who have sought freedom from Communist repression. He once declared that: "I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man." The tyranny that the Communists have tried to exercise over the

minds of the free peoples in this world must never be allowed to triumph. I know that it never will, for the spirit of liberty is strong and will remain strong. It is our duty, indeed our privilege, to support this ongoing struggle to restore the lost principles of political and cultural self-determination that have been wrested from those living under Communist tyranny.●

COMMEMORATING THE 67TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. ST GERMAIN. Mr. Speaker, as an American of Ukrainian descent, I am proud to commemorate January 22, 1985, as the 67th anniversary of the proclamation of independence in Ukraine. Although the independent republic lasted only 3 years, the Ukrainian people remember and continue to seek their freedom despite years of harsh Communist rule. We, too, remember and take the opportunity of this anniversary both to celebrate the spirit and determination of the Ukrainian people and to condemn Soviet action to oppress this spirit and punish that determination to be free.

The people of Ukraine are fighting an ongoing Soviet campaign to eradicate Ukrainian culture and national identity, and they face persecution and violations of their human rights for these efforts. In places like St. Michael's Ukrainian Orthodox Church of Woonsocket, RI, parishioners work to keep the Ukrainian heritage alive, and I am pleased to be a part of the annual recognition of the anniversary of Ukrainian independence.●

IN TRIBUTE TO THE HONORABLE SHELDON H. GROSSFELD

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MATSUI. Mr. Speaker, one of my most respected and civic-minded constituents, the Honorable Sheldon H. Grossfeld, a faithful public servant to the State of California and long time superior court judge, has announced his retirement.

Sheldon Grossfeld's first introduction to the legal process was as an assistant counsel for the California Department of Finance in 1960. What followed was a meteoric rise through the judicial ranks of California, culminating with a 7-year stint as a judge of the Sacramento Superior Court. Judge Grossfeld is noted for his expertise in

matters of criminal procedure and evidence. At the time of his retirement, he was recognized as this country's leading authority on capital murder cases. He shared this knowledge with other judges by teaching a course on death penalty trials, while serving as a member of the faculty of the California Continuing Judicial Studies Program. His farsightedness in this area has frequently anticipated changes in the law, thus enabling Sacramento County to avoid costly reversals and retrials of serious cases.

Mr. Speaker, Judge Grossfeld will also leave behind a superlative record as a civil court judge. His skills at settling cases enabled the Sacramento County Superior Court to maintain its fine record of keeping down the backlog of untried cases. He knew from experience how cases would be resolved by the trier of fact. He shared this experience with his litigants, and they soon developed a sense of confidence in his opinion and his judgment. His expertise and devotion to his job will be sorely missed by both his colleagues and by the people of California.

Mr. Speaker, on behalf of the citizens of Sacramento, I extend my thanks and best wishes to the Honorable Sheldon H. Grossfeld. We can rest assured that his new pursuits in the private sector will be as creative and fulfilling as those he has devoted to public service.●

ANATOLY SHCHARANSKY—YET ANOTHER BIRTHDAY IN PRISON

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GILMAN. Mr. Speaker, this past Sunday, January 20, Anatoly Shcharansky celebrated his 37th birthday in a Siberian labor camp in the infamous Soviet gulag. This birthday is his eighth in captivity, since he was arrested and given a 13-year sentence for the false charge of treason, as an agent of the United States.

Although those of us in the United States may be particularly thankful that 1984—George Orwell's year of Big Brother—has come and gone, with our personal freedoms in this country maintained intact, the grim implications of that novel continue to manifest themselves in the Soviet Union's treatment of Anatoly and all other outspoken Soviet Jews. For those imprisoned and refused Jews of the Soviet Union, every year is 1984, and what we refer to as the Iron Curtain has become an iron wall. The doors of emigration have been slammed shut, where only 896 Soviet Jews were granted emigration visas to freedom during 1984.

But none of those now imprisoned have come to symbolize the Soviet

Jewry movement more than Anatoly Shcharansky. Though over the years he has been deprived, denied and maltreated, his spirit has remained strong. The crux of Anatoly's situation rests with our ability to continue to monitor Soviet activities, and to speak out at every opportunity. Now, as we enter 1985 and U.S.-U.S.S.R. arms control talks, Congress and the President must absolutely make Anatoly's well being and release our No. 1 human rights priority. In the past the Soviets have denied Anatoly medical treatment when it was requested. Yet we do know that Anatoly was recently transferred to a hospital for an undisclosed illness. If the Soviets have assented to hospitalization, his situation must have been grave indeed.

Having recently returned from a trip to the Soviet Union, I can assure my colleagues of the gravity of the situation facing Anatoly Shcharansky and other Soviet Jews. Their only crime is the desire to practice their Judaism openly, and to live a life of religious freedom in Israel.

As we join Anatoly Shcharansky in commemorating his 37th birthday, let us greet this new year with renewed commitment to our brethren in the Soviet Union. If not for our efforts, Soviet authorities would be more than pleased to allow Anatoly to languish or even disappear in the vast expense of the Soviet gulag. Let us remind the Soviets that we will continue to protest and to speak out and act on behalf of Anatoly Shcharansky, until the day he is released and allowed to reunite with his wife, Avital, in Israel.

Avital, in recognition of Anatoly's 37th birthday, said:

I hope and pray that we can celebrate Anatoly's 38th birthday in Israel . . . in peace and in freedom."●

UKRAINIAN INDEPENDENCE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. MOAKLEY. Mr. Speaker, I rise today to commemorate the 67th anniversary of the proclamation of independence in Ukraine.

The years that the Ukrainian people have been forced to live under Soviet control have been hard and harsh. Through deportations, executions, starvation, and collectivization, millions of men, women, and children have been victims as their Communist overlords have attempted to tighten their grip on the country.

Most admirable and encouraging, however, is the fact that despite deliberate attempts to destroy the Ukrainian culture and people, their spirit of freedom, lust for liberty and sense of national pride is as strong as it was 67 years ago when they declared their in-

dependence. Such fervent desires and aspirations express for us today the emotions and hopes our Founding Fathers had over 200 years ago.

Mr. Speaker, I consider myself most fortunate to live in a country that entitles me to freedom and independence. I cherish these privileges more than anything. I volunteered for the service during World War II because I believed so strongly that these essential rights should and must be protected. My heart goes out to the people of the Ukraine. I realize the agony that these freedom loving people must be experiencing. Therefore, I urge my fellow Members of Congress to join in not only condemning the oppression that still plagues the people of the Ukraine—but to also support and encourage their struggle to regain their freedom.●

BIG BROTHER/BIG SISTER APPRECIATION WEEK

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. GEKAS. Mr. Speaker, many times adults forget that the most important and sometimes the most trying times in a person's life are those years when we are growing up and experiencing many of life's adventures for the first time. Big Brothers and Big Sisters is a group that has been formed to provide to many underprivileged kids an experienced ear with whom they can discuss problems and ask questions so that they will understand and appreciate each step of the process of growing up.

February 17, 1985, marks the beginning of Big Brother/Big Sister Appreciation Week. This commemoration was designated by the President and Congress so that all Americans can show their support and appreciation for the time and effort put forth by this small but dedicated group of volunteers. These men and women use their free time to develop a 1-on-1 relationship with underprivileged children, giving those children opportunities they may not otherwise experience and allowing the boys and girls to spend more constructive time with a concerned adult.

Today, when so many people are in such a hurry to get from one place to another and many disregard the small pleasures in life, it is nice to know that some still take the time to spend a few hours each week making the children of America feel appreciated, needed, and loved. May the work of the Big Brothers and Big Sisters continue for years to come and may the stream of volunteers continue to flourish as they have in the past with such dedicated and respected individuals.●

TAXING THE ELDERLY

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. DENNY SMITH. Mr. Speaker, I have long been concerned about the massive budget deficits that threaten to destroy our economy. For several years now I have been pushing for a 1-year freeze on all Government spending. Such a freeze would save the Government \$35 billion in 1986 alone, and would give us an opportunity to identify what long-term structural changes can be made to reduce Government spending and cut the deficit.

Deficit reduction should not be achieved, however, by filling the Treasury's coffers with taxes from senior citizens on fixed incomes. I have always been opposed to the taxation of Social Security benefits. Therefore, I am introducing two bills today concerning taxes recently imposed on certain benefits.

The first bill is an outright repeal of the provisions of the 1983 Social Security amendments that instituted taxation on up to one-half of the benefits received by individuals earning over \$25,000 or couples earning over \$32,000.

This new tax penalizes individuals for past, unalterable, decisions concerning savings and investments. Hardworking individuals who were able to set-aside funds for their "Golden Years" are now being hit with an unanticipated tax by the Federal Government. The Government should be encouraging self-sufficiency in retirement years, not discouraging it.

Unlike other taxes, Social Security withholding has never been a deduction for the computation of Federal tax liabilities. Therefore, benefits currently paid out are based on contributions that have already been taxed, resulting in double taxation on these funds.

The budget will never be balanced by simply raising taxes. Tax increases have only fueled further spending increases. How many times has this body approved tax increases on the promise of further spending cuts? Yet we never see the spending cuts.

While I favor an outright repeal of the taxation on benefits—and will push for such legislation—something must be done to ensure that while such legislation is still on the books, it is not applied to lower income social security recipients.

Under current law, the income thresholds for taxation of Social Security benefits aren't indexed for inflation. In 1984, 9 percent of Social Security recipients faced an increased tax liability because of the new law. The Social Security Administration esti-

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mates that by 1990, 17 percent of all recipients will be affected by these tax provisions. I am, therefore, introducing a bill to index the income thresholds.

There is much talk on the floor of this Chamber about compassion for the elderly in our great Nation. I ask my colleagues to join me in turning talk into action by eliminating the taxes on benefits that the elderly earned throughout their working years.●

OUTSTANDING YOUNG ATHLETES

HON. GENE CHAPPIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. CHAPPIE. Mr. Speaker, I would like to take this opportunity to recognize the outstanding achievement of the Pleasant Valley High School girls' basketball team of Chico, CA. Recently USA Today ranked the Pleasant Valley girls as the ninth best team in the whole country.

These fine young athletes have amassed an overall record of 15-0 and are most certainly bound for post-season play. I speak for all of the people of the Second District of California in expressing our pride. These young ladies and their coach have demonstrated a high level of skill and commitment.

Mr. Speaker, this team has earned a mark of distinction with their fine play, and they have the best wishes of all the people of the Second District of California. We are tremendously proud and wish them the best of luck.●

A BILL TO PROVIDE EQUITABLE TAX TREATMENT FOR FISHERMEN

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. McKERNAN. Mr. Speaker, I rise today to introduce a bill which, although negligible in cost, would provide significant benefits to many fishermen in Maine and elsewhere in this country. This legislation would amend the Internal Revenue Code of 1954 to provide that certain fishermen, who are treated as self-employed for Social Security and Federal withholding purposes, are treated as self-employed for pension plan purposes as well.

Mr. Speaker, much of the Tax Code recognizes the self-employed status of most fishermen. As self-employed individuals, they incur the same tax burdens as any normal business. In general, self-employed individuals are enti-

pled to take advantage of tax-leveraged retirement funding mechanisms, such as Keogh plans. Because group retirement funds are not practical in the fishing industry due to frequent crew turnover, Keogh-type plans offer an ideal means for individual fishermen to provide themselves with a more secure future. But, in that portion of the Tax Code which deals with pension plans, fishermen are not considered self-employed, and are thus not eligible to establish their own Keogh plans.

I do not believe that it was the intent of Congress to establish a tax disparity of this nature. In fact, Congress has already acted to rectify similar situations affecting other groups of taxpayers, including traveling salesmen, pieceworkers, and ministers.

The bill I am introducing simply includes fishermen, who work aboard boats with fewer than 10 crewmen operating on a share basis, I believe that this measure represents sound public policy and I urge my colleagues to support this effort.●

A TRIBUTE TO ROBERT F. BARRETT

HON. RICHARD C. SHELBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 24, 1985

● Mr. SHELBY. Mr. Speaker, on Friday, February 1, the Alabama Power Co. will honor a man who has given the major part of his professional life in service to the company.

After 43½ years of service, Mr. Robert T. Barrett will retire, and his friends and neighbors, including myself, feel that his exemplary career should be brought to public attention as a model for those who are inspired by dedication to duty.

Bob started as a groundman in the construction department in 1941 when he was 19 years of age. From 1945 to 1968 he was a lineman working in Carbon Hill, Winfield, Haleyville, Dora, and Columbiana. Bob was made local manager of the Centreville office in 1968. He returned to Columbiana in 1973 as local manager of the Columbiana office.

Not only has Bob worked hard in the company, but he has been active in various civic affairs and organizations. He has served on the Columbiana Library Board, been a long time member and served as its chief of the Columbiana Fire Department. He is also a member of the Columbiana Kiwanis Club and is immediate past president of the organization.

During World War II, Bob served with Patton's 3d Army, 80th Division from 1942 to 1945. He was a German prisoner of war the last 6 months of the war.

Bob is married to Mary Wicker and they have two daughters, and five grandchildren.

Mr. Speaker, Bob Barrett is the kind of man who makes America work. The qualities of a good employee—dedication, trustworthiness, diligence, and loyalty, are all abundant in Bob's character.

All of us should take a moment and reflect on this attitude toward life. We

need more men like Robert F. Barrett who have given so much of themselves in helping others. He is a fine father, husband, conscientious businessman, and leader in the community.

Not many people achieve the measure of admiration and respect that Bob has enjoyed. He earned that respect because he has always truly cared about the people he served and about the welfare of his community.

There is no doubt in my mind that this tribute is well deserved by this outstanding individual.

I am honored to be able to share this exceptional story with my colleagues in in the House of Representatives, and certainly wish Bob well in his future endeavors.●